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Earl Warren Oral History Project

HUNTING AND FISHING WITH EARL WARREN

Bartley Cavanaugh: A Mutual Interest in Government, Politics, and Sports

Wallace Lynn: Hunting and Baseball Companion

Interviews Conducted by
Amelia R. Fry

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PREFACE

The Earl Warren Oral History Project, a special project of the Regional Oral History Office, was inaugurated in 1969 to produce tape-recorded interviews with persons prominent in the arenas of politics, governmental administration, and criminal justice during the Warren Era in California. Focusing on the years 1925-1953, the interviews were designed not only to document the life of Chief Justice Warren but to gain new information on the social and political changes of a state in the throes of a depression, then a war, then a postwar boom.

An effort was made to document the most significant events and trends by interviews with key participants who spoke from diverse vantage points. Most were queried on the one or two topics in which they were primarily involved; a few interviewees with special continuity and breadth of experience were asked to discuss a multiplicity of subjects. While the cut-off date of the period studied was October 1953, Earl Warren's departure for the United States Supreme Court, there was no attempt to end an interview perfunctorily when the narrator's account had to go beyond that date in order to complete the topic.

The interviews have stimulated the deposit of Warreniana in the form of papers from friends, aides, and the opposition; government documents; old movie newsreels; video tapes; and photographs. This Earl Warren collection is being added to The Bancroft Library's extensive holdings on twentieth century California politics and history.

The project has been financed by four outright grants from the National Endowment for the Humanities, a one year grant from the California State Legislature through the California Heritage Preservation Commission, and by gifts from local donors which were matched by the Endowment. Contributors include the former law clerks of Chief Justice Earl Warren, the Cortez Society, many long-time supporters of "the Chief," and friends and colleagues of some of the major memoirists in the project. The Roscoe and Margaret Oakes Foundation and the San Francisco Foundation have jointly sponsored the Northern California Negro Political History Series, a unit of the Earl Warren Project.

Particular thanks are due the Friends of The Bancroft Library who were instrumental in raising local funds for matching, who served as custodian for all such funds, and who then supplemented from their own treasury all local contributions on a one-dollar-for-every-three dollars basis.

The Regional Oral History Office was established to tape record autobiographical interviews with persons prominent in the history of California and the West. The Office is under the administrative supervision of James D. Hart, Director of The Bancroft Library.

Amelia R. Fry, Director
Earl Warren Oral History Project

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Earl Warren Oral History Project

Bartley Cavanaugh

A MUTUAL INTEREST IN GOVERNMENT, POLITICS, AND SPORTS

With an Introduction by
M. F. Small

An Interview Conducted by
Amelia R. Fry

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Bartley W. Cavanaugh: coffee with the Chief Justice

TABLE OF CONTENTS -- Bartley Cavanaugh

INTRODUCTION by M.F. Small i

INTERVIEW HISTORY iv

I A LONG ACQUAINTANCE WITH EARL WARREN i

Professional and Family Friendship

Health Insurance for Sacramento City Employees 3

Sports Fans 5

During the Kennedy Commission 8

II CAVANAUGH FAMILY RECOLLECTIONS 11

Cattle Feeding 12

Hop Growing and Race Horses 13

III POLITICAL ACTIVITIES 15

Campaigning for Wendell Willkie 15

Artie Samish and Sacramento Matters 17

1952 Republican Convention 20

IV SOME THOUGHTS ON WARREN AND HIS FRIENDS 28

Tom Kuchel 28

Ben Swig 31

Catholics and the Supreme Court Appointment 32

V THE LEGISLATURE IN ACTION IN THE FORTIES 36

Labor Legislation 36

City and County Interests 37

Notable State Senators 40

VI CITY AND STATE ADMINISTRATION 43

Warren's Appointments 43

The Sacramento Scene 45

Sacramento Police Department 47

State Crime Commission 51

VII CONCLUDING THOUGHTS 55

Warren and Presidents Kennedy and Johnson 55

Warren and His Supreme Court Decisions 57

Warren Relaxing 59

Early Political Reminiscences 64

Warren and the Silver Money Clip 65

INDEX 70

INTRODUCTION

Earl Warren was friendly towards almost everybody he ever met, on intimate terms with few. Bartley Cavanaugh was one whose company he sought often.

Warren admired the big bluff Irishman as an accomplished and honorable public servant and fine family man--but particularly enjoyed being with him because of a mutual enthusiasm for spectator sports. A few hours with "Bart" at a football game or World Series baseball game was Warren's R&R--rest and relaxation: together the two men--sometimes with two or three other friends--could leave behind for a while the tribulations and cares of their big jobs.

Cavanaugh "can't remember when I didn't know Earl Warren." They first met in the legislative lobbies in Sacramento in 1926 or 1927. Warren was District Attorney of Alameda County and spent much time in the state capital on behalf of legislation of interest to the various local law enforcement agencies of California. The much younger Cavanaugh (he was born in 1904, Warren in 1891) was getting a good start in life selling cement. His industry recognized him as a "comer" and made him its observer during legislative sessions (but he never "lobbied," Cavanaugh is quick to point out).

He and Warren started attending boxing matches, about the only evening athletic entertainment Sacramento could offer at the time. During the ensuing half-century, the two friends attended basketball, football, and baseball games almost without number.

Cavanaugh delights in telling about a certain week-end when they saw two high school football games in Sacramento plus college games at Stockton and Berkeley. "By Sunday night we didn't remember much about them. Not too much to drink, just too much football. We simply couldn't sort out the plays we'd seen in four games so close together."

Their first baseball World Series together was in 1954. Cavanaugh was vacationing in Cleveland, Ohio, after picking up a new car in Detroit. Through his friend Bob Lemmon, the famous pitcher of the "Indians," he met Hank Greenberg, the team's public relations man. Greenberg offered him tickets to the World Series, shortly to be played with the New York Giants. Cavanaugh called the Chief Justice of the United States at Washington to ask him if he'd like to go to the games with him. "Sure," said Warren, "the court doesn't take up until the day after the last game." Philip Wilkins,

now a federal judge at Sacramento, and another friend joined them, and the four attended ten consecutive World Series together.

Warren's great friend is one of five Sacramentans to bear the name of Bartley W. Cavanaugh. His grandfather came out from Ireland in 1854, bought the land that is now the Sacramento City Zoo, and grew hops. Bart's son is a leading lawyer in Sacramento, and Bartley No. 5 is completing his university studies. Bart attended St. Mary's University at Moraga for a year, and then the University of California at Berkeley as a business administration major. The fashionable Land Park section of Sacramento adjoins the city zoo, and two of its streets, deeded to the city when Grandpa Cavanaugh's hop ranch was subdivided, are Cavanaugh Way and Bartley Way.

Cavanaugh recognizes the fact that avoidance of "shop talk" was one of his attributes that endeared him to Earl Warren. Very easily, professional discussions could have been started when the two men met, because four years after Warren became Governor of California, Cavanaugh was appointed City Manager of Sacramento: they were "both in the same business." Earlier, from 1940, Cavanaugh had been manager of the Sacramento City and County Housing Authority.

"Oh, there were a few times when I discussed some of the problems of municipal finance with the Governor," Bart recalls, "but always during business hours only. Once, though, I did seek his specific advice." Bart is a devout Catholic, and, like Warren, devoted family man. Three of his youngsters were sick all at the same time with infantile paralysis. "The expense of their care," Cavanaugh said, "nearly bankrupted me and my wife. I was determined that the employees of the City of Sacramento must have insurance against major medical bills, and the Governor had the experts who had done the staff work when he was trying to establish a state health insurance system, come over to the City Hall and help me set up a system for the employees of Sacramento."

A tragedy like the one visited upon the Cavanaugh family was experienced by Governor and Mrs. Warren when, that same year, their youngest daughter also had poliomyelitis. As each faced grief and concern and anxiety about their children, the bond between the two fathers grew yet stronger.

The job of City Manager of Sacramento is non-partisan, and Cavanaugh was careful not to involve himself in Earl Warren's political campaigns. Nevertheless, when Warren returned from being nominated for Vice President of the United States by the Republican convention in Philadelphia in July, 1948, Bart arranged an enthusiastic parade for him. "Hell, he was our leading townsman, and he'd won a signal honor. Nothing political about giving him a big welcome home. I drove the car Earl and Mrs. Warren rode in, and Mayor Belle Coolidge sat up in front with me. I was mighty proud, I can tell you."

Normally Cavanaugh and Warren "never talked politics"--and they never, never discussed the Chief Justice's Supreme Court decisions. However, race relations, which underlie Brown v. Board of Education, once intruded into Cavanaugh's personal life. His Aunt Maggie, maiden sister of his father, died about ten years ago. Cavanaugh went to the City Cemetery to see about burying her in the hundred-year-old family plot, but was told by the sexton that it was full; Aunt Maggie would have to rest elsewhere. Cavanaugh looked at the chart of the plot. "What's going on here?" he demanded. "Those two Chinese names! And who is Sam? We never had anybody named Sam in our family." Sorely troubled, he sought out his sister.

"Why, Bart!" his sister said, "didn't you know? Those two Chinese men were our grandparents' cooks, and Sam, who was an Indian, was foreman of the hop ranch. Naturally when they died they were buried with the rest of the family."

"Oh, my Gosh!" Bart exclaimed, "We were integrated long before Earl Warren ever heard about integration."

So that was, indeed, a case discussed by Cavanaugh with Warren--who was completely delighted with the tale.

M. F. Small

16 September 1975
Sacramento, California

INTERVIEW HISTORY

Date of Interview: Recorded May 4, 1972

Place: His home at 900 Fourth Avenue, Sacramento, California

Those Present: Interviewer and Bartley Cavanaugh

The Interview: Bartley Cavanaugh's close friendship with Earl Warren grew from the inevitable to the bountiful, from the early days of being in the same legislative hearings when each was a legislative supplicant, to Warren's tenure as a governor and Cavanaugh's as city manager of the state government locus. Somewhere in between the relationship had expanded to include baseball, basketball, football games, and drives in the country. From early in the Earl Warren Oral History Project, the name "Cavanaugh" had an automatic rank of a high priority interview.

By the time Warren was on the Supreme Court, Cavanaugh was one of a tiny group of men with whom the Chief Justice could truly relax. Others in the group were Wallace Lynn, Ed Carty, Philip Wilkins (now a busy judge), and Jack McDermott, a Sacramento contractor.

The family home on Fourth Avenue is a large, spread-out house with a spacious green lawn. At the time of the interview, Mr. Cavanaugh had returned from a long trip a few days before. He met me at the door, dressed to play golf as soon as the interview was over: his muted green sweater matched his slacks. He was of heavy, athletic build and full of energy which, when he was sitting still, was focused on lighting and smoking several cigarettes.

We recorded in the living room, which was also in muted green coupled with browns, and a gray-brown rug carpeted the floor. At one end was a generous bookshelf with a photograph of the Chief Justice on its top.

In the next room he pointed to a beautifully aged leather and brass-bound trunk, a piece of luggage with which his grandmother had left Ireland, crossed the Isthumus of Panama with it on a donkey's back, and eventually reached their California destination with it. Even though his children were grown, there was obviously much contact and coming and going at the family home.

The interview itself shows why he was such good company for the chief justice. His accounts are often filled with humor and unexpected incongruities. ("When we'd go to games with the Chief Justice," he told me once, "everybody always thought we were secret service men.") He never tires of the contrast of a Sacramento city manager hobnobbing with the highest officials in the land, and therein are set some of his most ironic stories.

Off tape, Cavanaugh told me that when he was appointed city manager, it was the same time Warren had won all the party primaries for governor in 1946. When Cavanaugh arrived at his new office quarters, Governor Earl Warren was waiting to congratulate his friend, then stayed all morning to welcome people. "Jesus!" Cavanaugh concluded, "That sure shocked people!"

He told all he could remember about the political and the administrative questions and was careful not to answer unless his recall was clear.

The rough-edited transcript was sent to Cavanaugh, with a couple of additional questions, in September of 1973. When he began reading it, word came that he was not happy with it. He did not like the "tone" of it. "It sounds too much like I was a big shot." It's just me, me, me, he told me. He was plainly shocked. After some debate, and a letter to point out that every interview in the Earl Warren project is, by necessity, self-centered on the person doing the talking, and that it is important to preserve that reality, he agreed to go ahead with his task. Then came the big move: out of the house in which he had lived since a very young man and into another attractive but smaller place on South Land Park Drive. When the final book was in place, he admitted with chagrin that he could not find his copy of the transcript. Another copy was sent to him February 5, 1975, and he got to work on it. Later that year we pulled up chairs at his dining table and went over all passages

which presented possible ambiguities; we also inserted additional remarks and stories he had pulled out of his memory since the taping.

This is certainly one of the more enjoyable interviews, and likely one of the more revealing of Earl Warren's human side. Mr. Cavanaugh, despite his reservations, seemed committed to preserving his memories of his good friend, enjoying the process as much as this listener did.

Amelia R. Fry, Director
Earl Warren Era Project

18 October 1976
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I A LONG ACQUAINTANCE WITH EARL WARREN
(Date of Interview: May 4, 1972)

Professional and Family Friendship

Fry: Were you involved in Earl Warren's campaigns at all? Did you have some fund raising function in Sacramento?

Cavanaugh: No, I did not. As city manager I didn't have anything to do with fund raising. Maybe prior to '46--let me think now...I guess when he ran for attorney general...I was interested in Republican politics and may have raised some money, I don't recall. But we've always had a little trouble discovering when we were first acquainted.

Fry: That was going to be my next question.

Cavanaugh: Well, I knew him when, I think, he was an assistant district attorney in Alameda County. And he used to come up to the legislature, representing peace officers and the district attorneys' association and legislation pertaining to crime, et cetera.

I was then district manager of a cement company and also did a bit of work around the legislature pertaining to bills connected with the cement business. So, I got to know him then; I'd met him before but I don't know when.

And then of course when he moved to Sacramento as attorney general, our children were friendly and we both liked sporting events and we used to go to the fights, baseball and basketball games, football, very much so. When he became governor, I was city manager. We had some official business but most of it was just friendship.

Cavanaugh: I was a delegate to the national convention once when he was a candidate and Eisenhower was nominated.

Fry: Oh, were you a delegate in 1952?

Cavanaugh: Yes, in Chicago. I cast--I'm trying to remember this now--I cast more votes for Eisenhower than any citizen of the United States, except one. That's a trick statement. I voted for Warren there. Then later, following the general election, I was elected president of the electoral college for California and in that capacity I cast the entire California vote for Eisenhower. California had the second largest vote in the electoral college. [Laughing] I told everybody, jokingly, I was going to cast the whole vote for Warren when the time came!

Fry: How does the electoral college really function in casting those fore-ordained votes?

Cavanaugh: The electors meet and elect a chairman, who casts the state's votes for president and vice president at the same meeting. I still have the check for $10 for being at the meeting at the state capitol and casting the vote. I thought I was going to go to Washington to cast it, but for economy's sake we just mailed it in.

Fry: Didn't you and Warren go to games together?

Cavanaugh: Well, after he became governor, the auditorium in which a good many sporting events were held was just a block away from the governor's mansion. His children were small, and I'd come by and we'd walk over and go to the fights or the basketball games.

His girl and Bobby were in high school and my boy was in high school and my boy played on the "B" team with one of them when they were very young. We used to love to watch them play football.

We'd go to Berkeley during football season and pretty near every Saturday. We used to like to go to sporting events. We got very close.

Fry: His kid was on the football team--do you mean Earl, Jr.?

Cavanaugh: Well, Earl was, I think in the same class as Bart. And Earl was a little better football player. But when they were sophomores

Cavanaugh: in high school, I think they both played on the "B" team.

The other thing that made us very close was when Honey Bear contracted the polio, my children did also. About six weeks after Honey Bear got sick, Maggie, who was my second oldest daughter, and Bart, and my daughter Florence, they all got it.

The youngest child didn't have any bad reaction, but Bart did have a severe case of it. It left some limitation on his leg. And my daughter Maggie had it the most severe of all. She was at Warm Springs for a year and had several operations and still had to use crutches. But she came out of it good enough so she now has six children, so I guess she wasn't too disabled.

But that I think made us rather close, too.

Fry: How many children did you have in all?

Cavanaugh: We had four, and three of them got it--two severely and one just a very mild case. She was only in the hospital a short time.

Health Insurance for Sacramento City Employees

Fry: Can you describe specifically what you and the governor did? Were there phone calls back and forth during this period?

Cavanaugh: Prior to that, when I ran these housing projects in Sacramento, we had an epidemic of polio in one of the projects, where thirteen or fourteen of the small children had the problem. This was before he was governor and Olson was governor. He was a friend of mine and I got some top level help for these children through the state Health Department. They had the top people come up here and also through the Polio Foundation. So I became familiar with polio at that time.

Oh, I don't know. Of course, Warren and I talked about it a lot, and as a result of it, we spent many hours trying to devise a health plan, medical plan, for all city employees, which we finally did. He and I worked on it. He was very interested in it.

Cavanaugh: The treatment for polio in those days was most expensive. You could either get help from the foundation paying your bills, or not. You didn't have insurance. As I was fully employed, I didn't think I should take any contribution from anything. So I learned very thoroughly how much it cost. So I was concerned that when the children of families of city employees would go through the same thing, the family would be broke. And that's all there is to it.

On one of our trips to the World Series, we wrote out a policy and I got the city council to adopt it and we got an insurance company to cover it. Oh, this was long before it was the custom to have medical and hospital insurance for employees.

Fry: This was for more than polio, this was for general--

Cavanaugh: This was general. This was unusual in those days. The first five hundred dollars of hospital expense, the company paid in full, doctor or hospital. The next $9500, the insurance company paid eighty per cent. We got a local outfit, California Western States Life, to cover it. We insured all city employees. There were then about two thousand. And in turn, they could add a very nominal premium and include their families on the same policy. We unbalanced the premium so no matter what the size of the family, the premium was the same. If you had one child or ten, you paid the same premium.

There was some life insurance involved in it. It was one of the first of these health plans, I think. They've improved it. Now it's a $15,000 limit.

Fry: Was this used as an example of a good program when Earl Warren was fighting for his state health insurance?

Cavanaugh: No, that was before this time. His bills came first. But he was very interested when we got to talking about it on these trips. We not only went back to the World Series together, but on weekends we usually took a ride up in the hills or rode around to get away. We got along well, and that was what we did. That was all. But because of Honey Bear's polio experience and mine, we thought that we knew a little something about it. We knew about the expense, anyway.

Fry: Was Honey Bear hit very hard?

Cavanaugh: Yes, she had limitations, abdominal muscles and so forth. But she recovered after some limitations of walking in the first six months. She came out of it pretty good. Oh, she came out of it fine. She looks fine. I saw her last year when I went back for his birthday.

I don't know whether he ever--he was just interested in it--whether he ever cited it, I doubt it, but insurance does relieve the family from bankruptcy if you ever get into one of those situations. Medical costs are tremendously expensive, and they're going up, up, up.

Fry: When Honey Bear was first hit, were you able to give him names and advice on doctors?

Cavanaugh: No, he didn't need them. The man who, in those days, was the outstanding doctor in this area was Dr. June Harris. He was looked up to by the medical society and the medical profession throughout the state. He was the one that decided who they should bring in and so forth.

Sports Fans

Fry: I'l like to know more about what the governor was like when he attended football games. Was he highly knowledgeable?

Cavanaugh: Baseball, he keeps his own score card, and he's a very good scorekeeper. Football, he's a partisan; when he was governor he was partisan to western players during pro games. And of course in this area he was prejudiced for teams that his boys were affiliated with, and the University of California of course.

If he had business in Los Angeles, I'd often fly down with him and we'd go to the games in Los Angeles. Pro games particularly. Or the bigger games. But he was a great follower of it. I don't think he's too prejudiced. In baseball he'd usually pull for the Yankees because of Joe DiMaggio, who was a good friend of mine. We both went down to Mrs. DiMaggio's funeral [Joe's mother] in San Francisco and Joe never forgot that. His brothers and so forth, they were amazed to see him in the church. And Joe never forgot that. Of course, Warren knew him before that anyway.



World Series, 1954 - Cleveland vs. New York Giants. First of eleven world series trips attended by the same group. From left to right: Phil Wilkins, Earl Warren, Bartley Cavanaugh, Jack McDermott.

Fry: I was wondering if he was a friend of Joe DiMaggio's.

Cavanaugh: Oh sure, sure. After Joe retired, we'd always see him in New York; sometimes we'd sit together at the ball games, and go to and from the ball games together.

Fry: Well, some people can watch a game and be fairly unmoved by the whole spectacle and others get terribly excited.

Cavanaugh: Oh, he doesn't--Oh, I can remember some games he'd get pretty excited about. When Bob Mathias was playing for Stanford--his father is a doctor in Fresno, I think, and the governor and Mathias's father had been friends for a long time. So he was real excited about Mathias. I guess this was his first game at the university and he had an outstanding game, and Warren really got excited about that.

Oh, he takes it. He pulls strong for the people that he knows. Casey Stengel was another friend of his. They were friends for a long time.

Fry: Is that right? I bet he has some good stories to tell about Casey Stengel. Were you ever with the two when they were together?

Cavanaugh: Oh yes. Sure, sure. Yeah, in sports--one interesting weekend during football season we went here to the high school game on Friday night. Saturday morning we went to Berkeley to watch California play and Saturday evening we went by Stockton on the way home to watch College of the Pacific and Eddie LeBaron whom he liked very much. And Sunday we go back to San Francisco to see the Forty-niners play Detroit or somebody. And in the middle of the second half I said, "Who's playing?" He said, "I don't know, where are we?" We'd gone to four football games in three days. So we had quite a laugh about it.

Fry: How was he able to work this into his schedule? Does he decide to go at the last minute?

Cavanaugh: Oh, we didn't go to every game they had scheduled, but when we got a chance we went. And in the summertime when they had baseball here in Sacramento, we'd go out to the ball game quite often.

There's one thing people should know about. He didn't go on passes. We didn't go on passes. We paid our way every place.

Fry: Out of your own pockets?

Cavanaugh: Out of our own pockets, and we'd usually stand in line--one of us would stand in line to get tickets.

Fry: What was the reaction to that?

Cavanaugh: Oh, people I think thought it was proper. I don't believe in passes. I've had passes and everything for years and have never used them. I just don't believe in them, that's all.

I always got paid for what I did and that's good enough for me. Oh, I would say that maybe at Berkeley I think there were seats for the governor at every game whether he goes or not. But we certainly--baseball, pro football, or basketball or the fights--the University of California at Davis used to host the Pacific Coast and the national college amateur fights and they held them at the auditorium. It was a three-day event and we'd usually attend that in the evenings, and we always bought our own tickets, of course. I just don't believe in passes and he doesn't, either.

Fry: Would he call you up at the last minute?

Cavanaugh: Anytime, anytime. Sure.

Fry: And you'd take off?

Cavanaugh: If I could, sure. Yes, sure. We didn't have any long range plans. If on a Sunday morning he wasn't busy he'd call up--"What are you doing? Let's go for a ride." And we'd go up to Grass Valley, Nevada City, or Jackson or up through the Mother Lode. Later, after he was Chief Justice, in the summertime we'd usually take a trip, drive up the coast a couple of times, just he and I, have a nice trip, stay at--is it the Heritage House up on the coast below Eureka? It's a very nice spot, and we'd drive around.

Fry: That wasn't to go hunting or anything?

Cavanaugh: Well, I'd go up with him once in a while to go hunting. I don't hunt. I don't care anything about it.

Fry: But these trips you were talking about--

Cavanaugh: No, they were just little outings, vacation. And of course, for

Cavanaugh: ten years we went to the World Series each year. I think the first one was his first year as Chief Justice and there were four of us, then there became five of us. Phil Wilkins, who is now a federal judge here, and myself, and Jack McDermott, who is a local man, a contractor, and the Chief Justice. When it was in San Francisco we flew back to Washington and watched it on the television from there. In the other years, well, when it was in Cincinnati we went to Cincinnati. Then we flew out to Chicago a couple of times; to Cleveland, to New York.

Then later in our trips, we included another fellow, Wally Lynn, the man who has the duck club the Chief shoots at. Lynn's a very fine fellow. A very good friend of all of ours. So we took him in as a probationary member of our marching society and made him make all the arrangements, pay the bill, keep track of the books. We would always do that on trips; one fellow would pay all the bills and then let us know what we owed.

But they were excellent outings for all of us. All we did was go to the ball games and then go to dinner at night. I think out of the ten or eleven years that we did it, I think twice three of us came together. The other times we'd get there by ourselves and meet. We'd always meet Warren there. If it wasn't convenient for him, we'd always go by ourselves and we'd meet him in Washington. He'd move into the hotel with us, out of his apartment, and we'd just make out as if we were at the ball game, and we'd have our beer, peanuts and hot dogs and stuff and we'd watch it on the tube. But, we'd always go to a few games; we'd go up to New York or go to these other cities.

During the Kennedy Commission

Fry: When he was doing the Kennedy assassination investigation, was it hard for him to get away?

Cavanaugh: Yes, it was difficult. I went back during that time just for a few days in Washington and Mrs. Warren said he was awfully worn down, that he'd lost considerable weight and was watching his diet very carefully. The two or three days I was in

Cavanaugh: Washington I would ride down with him in the morning and he always had Secret Service with him. Car and driver and Secret Service and at that--I don't mean he didn't like it, but it was getting to him.

One Friday night, we came back (I was staying at the apartment with him and the Secret Service man had a room in the wing of the hotel) and Mrs. Warren said, "Why don't the two of you sneak off and go to New York for the weekend?" And we did.

Fry: Oh, you got away?

Cavanaugh: Yes, we got away. They looked all over for him--and we drove up to New York, went to the ball game as we got into New York, sat through half a ball game, went to dinner, then checked in the hotel. And we stayed Friday night, Saturday night, and we drove back Sunday.

Fry: You drove back?

Cavanaugh: Oh yes, we drove up from Washington.

During that investigation, he came out to California, and we were to go up duck hunting. The Secret Service called and wanted to know what precautions we were going to take up there. I had known the Secret Service people and the FBI pretty well over the years. We reassured them, so they came up to the Nut Tree and we all had lunch and then all five of us went up to duck hunt, and they didn't come with us. They were satisfied that we knew what to do, and we had communication; I had a two-way radio in the car and everything.

The Warren Commission was a drag on him. It was an awful strain. He didn't want to take the appointment at any time, but when the President asked him, that's it, that's all there was to it.

Fry: He must have felt it was his duty?

Cavanaugh: Oh yes. That's right. And it was a tough deal with all--I don't mean he had any complaints--it was just a difficult job trying, with that big of a problem, to get all the facts and everything.

Fry: Well, he was still handling the Supreme Court at that time.

Cavanaugh: That's right. He would go from one office to the other every afternoon when I was there--

II CAVANAUGH FAMILY RECOLLECTIONS

Fry: You were the one who provided the cars and the chauffeur for most of your outings, weren't you?

Cavanaugh: Yes, I got the automobiles. I've driven pretty good automobiles for the last fifteen years.

Fry: Isn't that a beautiful Mercedes out there in your driveway?

Cavanaugh: No, it's a Rolls Royce. This is the second one I've had. For years, they've always teased me about my old "bucket of bolts," but I like it and I like to drive it and that's it.

Fry: Earl Jr. says he's had a chauffeur for so long that he hasn't been able to drive.

Cavanaugh: I don't know whether he does drive at all. I don't think so. He likes this car because it doesn't knock his hat off. That's right. That's one of the reasons I got it, too. But he enjoys it. We've had some great trips.

Fry: How old is your Rolls now?

Cavanaugh: I got the first one in '60, and then after I retired I got this one. Can you imagine a city manager driving to and from work in a Rolls Royce?

Fry: No.

Cavanaugh: The way I arranged that was I notified the newspapers that I was getting myself a very fancy automobile and I didn't want them to think that I was stealing from the city, that my two sisters gave it to me. And if they doubted that my sisters

Cavanaugh: could afford it, just check the banks. That was the statement. Both newspapers knew my two sisters and that was it.

Cattle Feeding

Fry: Are you from an old California agriculture family?

Cavanaugh: Well, my father, Bartley W. Cavanaugh, was born here in Sacramento. My grandfather, Bartley W. Cavanaugh, came from Ireland to Sacramento first in '46--

Fry: 1846?

Cavanaugh: That's right, and then came back in '52. It was still nothing. He came as a boy on a sailing ship. And then he lived in Boston for a while; he was maybe twenty-two when he came here the second time. I still have a trunk, leather and brass-bound, that my Grandmother McTurnin brought from Ireland: from Ireland to Boston, from Boston across the Isthmus on a mule, up to San Francisco on a sailing boat, and then up to Sacramento.

Fry: Did she know your grandfather? Did she come specifically because of him?

Cavanaugh: Yes. They knew one another in Ireland. He'd been back and that was it. So my father was born here. My father died when I was very young and he was young. He was only forty and he's been dead--well, I'm sixty-eight--he's been dead sixty-seven years; I was a year old when he died. So he was born here over a hundred years ago.

Then on the other side of the family was the agriculture cattle business. My sister and her husband, who built this home (I've lived here thirty-five years), were in the cattle business. Her name is Swanston and her husband passed away. They had a packing house, the feeding operation. Her grandson, my nephew, now is running a little cattle feeding operation below Salinas. Fat City.

I was down there last week. It's the most amazing thing you've ever seen. They had 75,000 head of cattle in the feed yard, and they're bringing in another 20,000 the next two weeks. They feed round the clock. The lights are

Cavanaugh: on at all times, they play music. They have a hundred and fifty employees at the feeding yard. It's the biggest operation, and he's thirty years old.

Fry: Did this cattle business start with your grandfather or your father?

Cavanaugh: No, the cattle business started on the Swanston side, with the great-grandfather. This boy's great-great-grandfather started the Swanston cattle company. And they used to call into Oregon and drive them down to Sacramento. Now, that's many, many years ago. This is the fifth generation of that outfit in the cattle business.

Hop Growing and Race Horses

Cavanaugh: Now, my father had a hop ranch. And it's now a park, Williamland Park. It's sizeable, a couple of hundred acres.

The Swanstons owned quite a little property here. And they owned a little property up north. The thousand acres that is the new State Fair site was theirs. And they had another two thousand along with it. So they've been around Sacramento for a long time. I was born across the street from the City Hall, the post office now.

Fry: So, you've been within a two-block radius of your birthplace most of your lifetime?

Cavanaugh: Well, I worked for twenty-three years within a hundred feet of where I was born. So I had an advantage--

Fry: That's really striking out in new territory isn't it?

Cavanaugh: [Laughter] It's not getting very far afield.

Fry: What did your father do?

Cavanaugh: Well, he was a farmer. A hop grower. Also, he worked with race horses. Yes, he managed a thoroughbred breeding farm for Burns and Waterhouse, which had a big ranch down here. We moved off the ranch because of floods, and I was born and



Three generations of Cavanaughs, 1963, at intersection of Bartley Drive and Cavanaugh Way, Sacramento, California. Left to right: Bartley W. Cavanaugh, II (Jr.); Bartley W. Cavanaugh, III; Bartley W. Cavanaugh, Sr.

Cavanaugh: they couldn't get the doctor there. So, they moved back into Sacramento and so I was born where I am.

That part of Williamland Park where the zoo is, this is where my father and mother lived before my sisters were born. And we had big what they call box stalls, which is rather expensive for horses, but for the fine horses from the ranch. There was no danger of flooding there, and they would bring maybe eight or ten of their prize stallions. There's one in particular, Salvador, which was considered the greatest thoroughbred horse up until the time of Man-O-War. They brought him down from the ranch in the wintertime.

My sister moved from here and they bought a very beautiful home out in the north area, which was the site of Haggin's home ranch. It was a part of 40,000 acres called the Haggin Grant. And Salvador was buried there, off of their homesite but on the grounds. Isn't that a strange coincidence?

III POLITICAL ACTIVITIES

Campaigning for Wendell Willkie

Cavanaugh: I liked politics. My father liked politics.

Fry: Oh really.

Cavanaugh: Yes, he was considered the political boss of Sacramento.

Fry: I hope you have some papers on this man.

Cavanaugh: I became very interested in Wendell Willkie. I thought he was a great fellow. When he first was nominated, I had no political ambitions or connections in those days. Or ever had, as a matter of fact. But I flew back to Colorado Springs to see him.

Fry: On your own?

Cavanaugh: Yes, on my own. And on my own expense. And the fellow who made the meeting possible was Hiram Johnson, who was then going to run for his last term as United States senator. I went back to make sure that Willkie would see that Johnson got favorable treatment for the presidential candidate in the California election. And in return--no, not in return--but Johnson would also make some speeches for Willkie. Willkie agreed to this.

The fellow I was to see first, I didn't know at all. Just his name. And when I got into Colorado Springs--a very fancy place, I got a very fancy room--coming into the lobby there was a little display case. And there's a bottle of whiskey in it,

Cavanaugh: very old, very fine whiskey: Astor House, a private stock. I went up to the desk and asked them if I could buy it. And they said it wasn't for sale. I said that I wanted it. And they said, well, it costs $30. And I said, fine, here's the thirty.

So, when this man came up, I offered him a drink. And he looked at the bottle and said, "How did you get that, anyways?" I was a little crude and I said, "Well, I wanted to impress you people, and I wasn't here on a shoestring and I want to talk to Mr. Willkie. And I don't want to be taken up there by anybody. As long as I've come this far I might as well clear things up. How well do you know Wendell Willkie?"

"Well," he said, "I know him pretty well. I nominated him for the position as nominee for president, at the Republican convention. I'm a congressman."

"Well," I said, "I didn't know that; I know your name is Halleck." I didn't know it was Charles Halleck.

So, we got along fine. He took me to see Willkie, and the three days I was there Halleck and I finished the bottle and we got a little acquainted.

When Willkie came to California, I was his campaign manager in this area. And we had a headquarters and we raised a little money and we did the best we could and we arranged for a reception. He came to Sacramento for an hour or two, it was during the state Republican convention. I went down and got on the train, I guess at Merced or someplace, to ride up to Sacramento. And Halleck was on the train. He and one of the newspaper publishers--I don't know if it was Scripps or Howard or one of them--was on the train. And they quizzed me about who was going to be elected chairman.

Bill Knowland was the national committeeman; he wasn't the state chairman at that time. It was to go to someone in the south. All the old-line Republicans, in the Willkie thing, the old-line people were for some fellow in Southern California.

We were for Tom Kuchel, who was then, I guess, an assemblyman.

Fry: For chairman of what?

WENDELL L. WILLKIE
15 BROAD STREET
NEW YORK

March 1, 1944

My dear Bart:

The Boss asked me to express his thanks for all you did for us in California and that goes for me too. It was good to find a friend in Sacramento and I mean a friend. Thanks fellow.

If you're ever up this way do give us a ring.

Best wishes.

Sincerely yours,

Sam Jones

Mr. Bart Cavanaugh
900 4th Avenue
Sacramento, California

P.S. As for the Scotch and the other bottles they were a God-send. Wonderful surprise from Sara. Thank your secretary for helping me out after luff again. She's mighty SWEET.

Cavanaugh: For the state chairman, to run the campaign for Willkie. To be the chairman of the Republican party of California, but actually run the campaign.

So, on the train, Knowland had told him that this other fellow was going to be elected.

Fry: Was that Haight or Anderson?

Cavanaugh: Leo Anderson. And I told him that I was sure it was going to be Kuchel.

So, Willkie was here, and my friends had charge of the state senate. And we controlled the gallery. And I hired a yell leader and about sixty fellows from Sacramento College to sit in the gallery and holler, "We want Kuchel!" That's what we did. And it had some effect on some of the delegates and Kuchel was elected. I remember this in connection with Bill Knowland because the next day Willkie called me from San Francisco, and he said, "You had the right dope." And then my cousin became associated with Willkie and traveled with him and wrote speeches and so forth. I don't know if you ever heard of him. His name was Bartley Crum.

Fry: Of course.

Cavanaugh: His name is Bartley Cavanaugh Crum. He's dead now. He died in New York. He was a great California alumni. No question about that. But I think they practiced law together later.

Fry: You mean Crum and Willkie?

Cavanaugh: Yes. Before Willkie died, yes.

Artie Samish and Sacramento Matters

Fry: You know that story you just told me about electing Kuchel: I had just read it somewhere, and you had better get a copy of it. It's in Artie Samish's autobiography; he takes credit for arranging the cheerleaders in the balcony.*

*The Secret Boss of California, Arthur H. Samish and Bob Thomas, Crown, 1971.

Cavanaugh: Well, that's all right. Let him take credit. Samish I've known since I was a kid. He's married to a girl from here who was a friend of our family's. Her name was Sullivan, Mercedes Sullivan. She's a nice lady. Her father was the superintendent of the printing office here. They were a nice family. They have a daughter. And Samish, I think he was born in San Francisco, but he spent most of his life here. He worked over in the printing office as a kid.

Fry: Well, he mentions in the book that he knew Earl Warren when Warren was here working--

Cavanaugh: --as a clerk in the Judiciary Committee. I don't know whether he did or not. He's quite a claimer. About everything. But that's his business.

Fry: That's what everybody says.

Cavanaugh: I couldn't care less about him. No, he was influential, there's no question about that. But I don't recall him having too much to do with that, at that time.

Senator [Jerrold L.] Seawell* was probably the most influential one at that time in this particular occasion of Kuchel's election. He may have been the presiding officer, I think he was before and after.

Butch [Harold J.] Powers was an old time cattleman. Butch lived out here for a while. We had extra rooms and a lot of the fellows would spend weekends here at the house during the legislature. Butch and a senator from Redding, John B. McCall. McCall's wife died while it was in session and they were living in the Senator Hotel, and we thought it would be a good idea for him to get away from there for two or three months. So Butch and he moved out here.

Fry: Butch Powers had a ranch near Nevada, didn't he?

Cavanaugh: He had a ranch at Eagleville, part in Nevada and most of it in California. His grazing rights, most of them, were federal

*Seawell served in the senate 1933-46 when he was elected to the State Board of Equalization; elected president pro tempore of the senate in 1939, 1943 and 1945.

Cavanaugh: land, but he had the rights on them because of adjoining property in Nevada, but his ranch itself was in California. He's still in the cattle business. He has a ranch down here. He has about four thousand head pastured down here.

Fry: Does he live in Sacramento? Where does he live?

Cavanaugh: He lives at the old Elliott ranch. He doesn't own it. He just rents it. They sold their ranch at Eagleville and they bought a ranch in Idaho, and then they sold that and Jackie and Jane--

Fry: Are those his daughters?

Cavanaugh: Jackie is a boy. Jack, he's a fine cattleman. One of the best in the West. He's running his own ranch.

Jane's husband was killed by an escaped convict last year. Drove up in front of his own house and the guy comes out with his rifle and shoots him and kills him. That's right. Down below town.

But Butch and Marie are building a place in Palm Springs and they're going to spend most of their time down there.

Fry: At the time of the investigation of Samish, which was brought on by Lester Velie's article in Collier's in 1949, you were still city manager and Warren was still governor and some of that investigation took place I think, as part of the operations of the county of Sacramento.

Cavanaugh: Grand jury.

Fry: I wonder if the city was brought into it, if you had any role in this.

Cavanaugh: No. Before the article in Collier's--the district attorney in Sacramento was a fellow named Otis Babcock who was very politically ambitious and wanted to run for governor. And there were accusations made about members of the legislature receiving fees for special business, fish and so forth--sardines--and he brought it before the grand jury.

Now, during that period and the only time in the history of California, the grand jury hearings were open to the public and were broadcast. It was quite a political opportunity to

Cavanaugh: get his name out. And he investigated a number of legislators.

One was William Hornblower from San Francisco, who was a good friend of mine. And I used to go over there with him. Now, this was earlier than the Collier's article.

And Samish was investigated then. He and Merriam had a falling out, and there was quite a bitterness between Samish and Governor Merriam. And he testified in open hearing about Samish's business and so forth.

Fry: That was the Sacramento grand jury hearings in 1937-38.

Cavanaugh: Merriam was governor at the time that they started this. Then Olson was elected in 1938, and at the end of his term, the dictaphone business broke. It was during the time they upset the speakership in the state assembly.*

Fry: The telephone found at the speaker's desk, is that it?

Cavanaugh: And both those fellows are very close friends of mine. Paul Peek, who was the speaker, and Gordon Garland, they are very close personal friends of mine. Both of them. But I'm sure I wasn't city manager then. I guess not, I don't remember. But I was around the legislature for a long time.

1952 Republican Convention

Fry: I'd like to ask you something about that 1952 delegation, the one in which several books have been written that infer that the delegation was actually split between Warren and Eisenhower, although the delegation's vote was cast for Warren, Nixon had--

Cavanaugh: Warren and Nixon? Well, there were some people from Southern California--it wasn't a delegation that was under the thumb of Warren at all. They were representative Republicans and some

*Paul Peek resigned from the assembly February 29, 1940. Gordon Garland was elected Speaker of the Assembly to replace him.

Cavanaugh: of them felt that if Warren couldn't get the nomination, then they'd help Nixon. And I'm sure that went on.

Now, during the convention my job was in the headquarters with the governor. And I stayed around there and met people and took them in to meet him and so forth. I stayed with the girls a good bit. Honey Bear and Virginia and Dorothy were all there. I'd gone up to Detroit and gotten a new automobile and we went back and forth to the convention together a good bit, Mrs. Warren and I.

Fry: Were any of the boys there?

Cavanaugh: No, just the girls. The boys were young then.

Fry: I have so many questions to ask you about the delegation, and maybe you know the answers to some of them. Like, I understand that, at least in Southern California, there was a real effort made to get a delegation that could come through and place Warren in a very strong position for the nomination, in case there was a tie or a dead-lock between Taft and Eisenhower; and therefore they wanted a delegation that would be really loyal to Warren.

Cavanaugh: I think that's right, yes.

Fry: And yet I think one of the persons who was on the delegation and maybe had a hand in selecting it was Bernie Brennan, who had been Nixon's campaign manager two years before. I don't understand why someone who had been Nixon's campaign manager was helping select delegates who were supposed to be loyal to Warren.

Cavanaugh: Well, Brennan was a leading Republican. I don't think the delegation could be said to be <u>not</u> loyal to Warren. I just feel this: if there appeared that he had a good chance of getting the nomination, I think they would have been rather unanimous for him.

Now, certainly at the convention, Warren went out of his way three or four mornings in a row (we were there a day or two days ahead of time)--he invited the leading candidates over to have breakfast with our delegation. Taft impressed me tremendously. I thought he was a cold fish until I saw him in person and he was a very warm, decent man, I thought. Eisenhower, who was most friendly, and--who was the round-headed college

Cavanaugh: president that ran five or six or ten times from the middle West--you know who I mean.

Fry: Stassen?

Cavanaugh: Yes, Stassen was a minor candidate at that time. These were the three that he invited over for breakfast and he introduced them to everybody.

Fry: And what was the purpose of the breakfast?

Cavanaugh: For the delegation to get acquainted with other candidates, although it was a Warren delegation I don't think he was too disappointed. I don't think the governor felt that he was going to be nominated.

Now, on the train. I went back with him on the train to Chicago, and the family lived in the back car, private car. He would send me up front every day to invite people back to lunch and to dinner. So, I was at most of them and there was no bickering. They were a fine bunch of people. Oh, independent of course.

There was from here--Phil Wilkins, he was a delegate; Butch Powers; and then there were eight or ten of us from here that were close friends.

Over the years, we'd been close friends, and we kind of stuck together, watched things, did what we could. Warren was popular, no question about that at the convention. But national conventions are awful rough, awful rough.

And I'm sure of this, that Warren was personally fond of Eisenhower. I'm sure they were fond of one another and during the campaign became very close.

Fry: Did they know each other personally before then?

Cavanaugh: They may have, but not to a great degree. Eisenhower was a very gracious man. And then during the campaign, I know that Eisenhower was impressed by a joint appearance that he and Warren made during the campaign. They re-ran it two or three times; it was most effective. I think it was done in Chicago. He liked the program and they repeated it. At that time he may have made up his mind about Warren, though I don't know. I <u>think</u> that.

Fry: There's another question about Nixon's role in this. There's a story which has been printed many times about Nixon boarding the train in Denver and trying to woo delegates away from Warren and over to Eisenhower at that time.

Cavanaugh: I know nothing of that and I was there and I've never heard that before.

Fry: Oh really? You've never heard that?

Cavanaugh: No, I never heard that he tried to woo anybody away.

Now, the other fellow in our group was Tom Kuchel. Tom has been a friend of mine for many years and of these other fellows also. And Tom was most loyal, of course, to Warren. Tom as an able, smart fellow. We didn't discuss anything of Nixon trying to sabotage the delegation. I think we all knew that he was ambitious, like any fellow in those jobs. I've never met the man, I don't know him. I met him when he was a congressman once, in Warren's office. And he's warmed up. I thought he was very cold for a long time. I take a drink with a friend quite often, and I don't think he's that kind of a fellow. I'm not criticizing him for it.

I would have no axe to grind for Nixon at all, but I don't think he did anything. They tried to play it up, but I didn't ever hear it on the train. And I remember him on the train. It was a happy delegation. We had a lot of fun.

Fry: Bill Knowland, I think was the chairman of that delegation. Did he remain quite loyal to Warren?

Cavanaugh: Oh yes, certainly. Didn't Warren appoint him United States senator? I've known Bill Knowland a long, long time.

Fry: A past favor...?

Cavanaugh: Yeah, I know all those things. Senator Knowland's father and mother and stepmother were very close friends of the Warrens and they were good friends of mine. Nice people. Bill, I knew him when he was an assemblyman in Sacramento, before he became a state senator, and he had the world on his shoulders. He's a smart, very tough guy, all right. He'd never been an intimate friend of mine, although I liked the man; I think he did all right.

Fry: I'll be talking to Senator Knowland pretty soon. Someone mentioned to me that when he was in the legislature, he was a member of a more liberal bloc. Has he evolved through the years?

Cavanaugh: The liberal bloc, I don't remember. In the senate in those days, Democrats and Republicans, you couldn't tell the difference because they ran on cross-filing. And in the senate, the young fellows became the leaders--Butch Powers, Jerry Seawell, [John B.] McColl, Andy Pierovich, they were all elected at one time. And they all became close because of their newness and youth and so forth. Bill came in, I think, maybe four years later, and I think was considered part of that group. I don't know. The word liberal in those days, you didn't think about it.

Fry: I'm not sure what it means.

Cavanaugh: I don't either.

Fry: Perhaps connected to some reform, like the fact that Knowland helped establish the state income tax?

Cavanaugh: Well, that may well be. Oh, he was a good legislator. He's an able fellow and does his homework. He knows what he's doing.

Fry: During the 1952 convention, there was quite a lot of forming and re-forming of support groups for these two major candidates. I have been told that Taft did send a man to talk to Knowland about possibly considering running as his vice president.

Cavanaugh: I don't know anything about that.

Fry: And the other question on that convention is about the very crucial thing that happened in the seating of the delegates, when the Texas delegation was contested. One delegation was for Taft and another one would have gone for Eisenhower, and the way the California people would vote on this was very important.

Cavanaugh: There was no dissension as I recall. I forget which way we voted, but there was no--

Fry: I think you voted for the pro-Eisenhower delegation.

Cavanaugh: Well, there was no dissension in the delegation that I recall at all. We were kind of proud of our members on the committee, I think Evelle Younger's wife was on that--now Attorney General Younger. She seconded the nomination of Warren at the convention and made a great appearance. A very fine looking lady and smart.

Fry: And she was also--

Cavanauth: I think she was our California's representative on the committee and maybe Bill was too--I don't remember. But I do recall that whatever the way the delegation voted, there was a pretty strong feeling in that direction. There was, to my recollection, no deals made, whether it was one delegation--it was a matter of principle that they--isn't that kind of the consensus of what you've heard? I don't know.

Fry: Here was, I think, a turning point in this battle between Taft and Eisenhower, and if California could have put its weight for Taft at that point, it would have possibly created a deadlock which would have helped Warren's candidacy.

Cavanaugh: That's right. I remember, it's coming back to me a little. They said that as a matter of principle, this is what we ought to do, and if that's the way it works then that's the way it works. That's my recollection of it. I was in on all the conferences.

Fry: So, as a matter of principle they wanted to back the Eisenhower delegates, but as a matter of the politics of the convention, better for Warren for them to vote for the pro-Taft delegation.

Cavanaugh: That's right. But as a matter of principle on the issue that was to be decided, the seating of somebody or the lot of them or something, they thought that that was right. And I think that whatever the issue was, the way we voted was much more similar to how California operated than maybe other places. I think that was it.

Fry: The political pressures must have been extremely hot and heavy at that time to create a deadlock.

Cavanaugh: We had an unusual situation. Phil Wilkins (a judge now--he's young) and I had gone across the street from the headquarters' hotel to a nice saloon, bar, was it the Pump Room? And Phil

Cavanaugh: and I walked up to the bar and we were having a drink and there were a couple of charming young ladies sitting over here. We had our drink and as we went to leave, Phil reached for his wallet and it was gone.

I said, "You're a hick. Somebody's picked your pocket." We had delegate's badges on, and the lady sitting on the stool said, "I think that you dropped it on the floor." And he reached over and found his wallet, and there were five or six hundred dollars in it. And he said to the ladies, "Can I buy you a drink?" "Okay." And they were young; one was very young, twenty-four or twenty-five.

And she said, "Are you delegates?"

And we said, "Yes." She said that she knew that and "How about you being for Taft?"

"Well," we said, "We're for Warren, period." The three of us included a fellow, Bill Werder, who was for a long time the chairman of the Board of Supervisors of San Mateo County. Nice fellow, good fellow. Quite a track man from Stanford.

And she said, "Have you ever met Senator Taft?" And we said, "No."

"Well, would you like to come over to our headquarters? I don't know whether he's there, but we'd like you to talk to some of the people." And we said, "Well, that's all right. What is your name?" And she said, "Taft." And it was his daughter-in-law, Nancy, or whatever her name was. She's very charming.

Anyway, we went over, and Taft wasn't there, but they ushered us into a room, an office room. The man behind the desk was a brother-in-law or some relative of Taft. A very hard-nosed lawyer, who was his campaign manager. And we sat down, the three of us, and he behind the desk. We started talking, and he was pushy, pushy, pushy, trying to get commitments.

I turned around and here's a fellow sitting in the corner in a straight-backed chair with a notebook, taking shorthand. And I said, "What's this?"

Cavanaugh: "Well, we do this."

And I said, "You don't do it with me. That's your record. In a case like this I want a record too, if you're going to keep a record." And he got a little huffy, and we walked out.

They're rough. They just do most anything to accomplish their end. I can't think of the man's name, but he was a relative of Taft and his campaign manager.

Anyway, the next morning Taft came to breakfast with our delegation and the three of us sat together, prepared to be very much against him, because of that. It wasn't our way of doing business. And Taft just charmed us right off the chairs. He was a very charming guy. And he said, "You've got a great candidate, stay with him." Or something, you know, very friendly.

And Eisenhower was great. I remember when the governor introduced me to him, he said, "City manager, I'd sure like to be a city manager." I never forgot that. I never forgot that.

Fry: He had to start at the top.

Cavanaugh: He didn't get to be city manager, did he? [Laughter]

Fry: Well, some people just don't have it, I guess. [Laughter]

Cavanaugh: But, he was very nice. I got a kick out of the convention, but I was very disappointed. I liked Warren very much and I wanted to see him get it if he wanted to be a nominee. I thought the presidency was a lousy job and I thought that governor was a better job, myself.

IV SOME THOUGHTS ON WARREN AND HIS FRIENDS

Cavanaugh: Warren's a fine man. High principled fellow to the extreme. He was very, very strict in his personal dealings, financial dealings; he would no more invest in some kind of a company that was in any way affected by government controls, building and loan, or anything like that. I don't think he has any amount of money at all. He doesn't need it, he's amply taken care of with retirement and things like that. But, I know this, he just never made any investments in anything of any kind that would in any way--

Fry: That must have been a sticky wicket for him when his father was murdered and left shares in Kern County Building and Loan.

Cavanaugh: Yes, and he turned it over to his sisters. Yes, I knew that a long time ago. There was no question about it. No question that he thought of ever--we've all had opportunities to do those things.

Tom Kuchel

Cavanaugh: One time when Tom as state controller--

Fry: Tom Kuchel?

Cavanaugh: Yes, Tom Kuchel. I call him Kookel. (With the umlaut, that makes it "kee-kle.") Well, anyway, we were both approached by a building and loan. They wanted us to buy stock at some kind of a price. That guy was a good friend of mine, formerly

Cavanaugh: a speaker of the assembly who was out of public office and was doing these things. Well, there was nothing wrong. He was a lawyer. And I told him that no, I wouldn't. And Tom talked to me the next day and said, "Did you talk to so-and-so?"

And I said, "Yes."

And he said, "What did you tell him?"

I told him I wanted no part of it. I wasn't that hungry, or something, I don't know.

And he said, "Well, I talked to the old man (which was Warren), and Warren said, 'I don't know. That's up to you. But ask Bart what he did.'"

I said, "Nothing, nothing, forget it."

And he said, "That's what I told him too."

I was very fond of Tom. They made a horrible mistake when they jockeyed him out and nominated somebody else in 1964 [in Kuchel's bid for re-election as a U.S. senator].

Fry: Yes, his own party really did him in.

Cavanaugh: They did him bad. Tom's sharp. Tom was very well liked in Washington and had prestige as whip; he was very well liked.

Opposition. I would think that--at that time, Kuchel and John Kennedy were as close as fellows get.

Fry: Oh, I didn't know that. How were they close? Socially?

Cavanaugh: Oh, that's right. Not politically. No, no, no. They were just friends, and they were both young fellows and very attractive personalities, and I think they used to go up to New York together a little and have some fun.

Fry: I was sort of hoping he would switch parties and run again.

Cavanaugh: Well, Tom's doing pretty good now. I saw him at the party last year for Warren's eightieth birthday. You'll get a kick out of this, I think. At that dinner John Daly, who is a good friend of mine--

Fry: Virginia's [Warren] husband.

Cavanaugh: Yes, Virginia's husband--told me, "You'll have to say something." I'm way out of my class. I'm no after dinner speaker or anything. He said, "I'll call on some fellows, then I'll call on you."

Well, the first one he called on was Abe Fortas. Well, a big shot. That's his business. The next one was E. Bennett Williams, who will blow you over, you know. The next one was Justice Goldberg. And the next one was a fellow that just died. He was a political commentator for ABC, Lawrence. And then Daly said, "His old friend from Sacramento wants to say a few words."

Well, what do you say after all this great praising of what a judicial mind he was and everything nice? Well, I told them, "I don't know anything about his business as a judge or a lawyer, but I do know about his ability as a judge of baseball. And my experience with him is a little different from you people. We went up to the World Series one time for a series between the Yankees and Brooklyn. And the Yankees used seven pitchers the first game and five the next game and couldn't get anybody out. The first game at Yankee Stadium was on Sunday, and Saturday night the Chief Justice says, I think I'd better get back to Washington. They got no pitchin'. What can they do? So, he left. We had three extra seats, so McDermott says, 'Well, I'll go over to St. Patrick's Cathedral and see if some priests want to go to the ball game.' Which we did.

"So, we sit in the box. Wilkins, McDermott and Cavanaugh and the three priests behind us. And the Yankees with no pitchers and no nothing (according to the Chief Justice). And all they do is pitch a perfect ball game. No hits, no runs, no errors, nobody on base." I said, "That's what a great judge of baseball he is."

Well, that was all right. I didn't get into the court, I didn't know anything about it. I was sure over my head. It was an elegant party. We had a lot of fun.

Ben Swig

Cavanaugh: Oh, have you talked to Ben at all?

Fry: Ben Swig, yes.

Cavanaugh: Ben Swig. I like him. He's a great Jewish leader.

Fry: Yes.

Cavanaugh: I see where the Chief Justice was awarded that Brandeis award. He turned down the prize, which I liked.

Fry: I didn't realize that.

Cavanaugh: Yes. There was a $5,000 prize with it, for some award, and he wouldn't accept it.

Fry: But, he accepted the award itself.

Cavanaugh: Oh, he accepted the award, but not the five thousand. They had a thing, he came out and made a little speech. Ben put on a big formal dinner at the Fairmont Hotel for this Brandeis University and it was, I think, a hundred dollars a plate.

So, I took young Bart, and we went down to it. The Chief Justice made a little talk, or made the talk of the evening. And I'll never forget it. Of course, they're all Jewish people, that would be natural, except at our table. There was Lefty O'Doul, Cavanaugh, and Cavanaugh. That's a fine thing.

Fry: [Laughter] And they're all Catholics.

Cavanaugh: Oh, there were a lot of other Catholics there, I'm sure.

Fry: I first knew him when I had to attend a Santa Clara University award dinner in Swig's honor, a Catholic university.

Cavanaugh: My son graduated from Santa Clara University. I'm familiar with it. Helped them! Swig's put them on their feet. He's raised the money. He's the toughest guy I ever saw to raise money. He puts the finger on everybody and that's it. Swig Hall. A beautiful new hall down there. He's also the financial advisor to the Indians in someplace in the Middle West and has done very well for them.

Fry: Right. The Navajos.

Cavanaugh: And up in Portland, he bought a beautiful big building and turned it over to a Catholic university over there. Oh, yeah, Ben can get rid of it, and he can make it like nobody else. I'm very fond of Ben. Very fond of him.

Fry: He and Warren seem to be quite close.

Cavanaugh: Oh they are. It's a funny combination.

Fry: It is.

Cavanaugh: Well, they're just friends.

Fry: Well, they do share a lot of concerns, I guess.

Cavanaugh: But Swig is anything but one particular group. I think he's done more for Santa Clara than any twenty of their alumni. And of course, Warren is not Catholic, but has received more degrees from Catholic schools than any place.

I remember when they gave him a degree at Santa Clara, and the next year the football team went to the Sugar Bowl and won and we went down to the homecoming. They had a big celebration and he sat up on the stage with the football team. That year California had gone to the Rose Bowl and got the pants beat off of them and somebody else from the West. So Warren said, "I'm in the class of" whatever year it was then "at Santa Clara, not of California." They think a lot of him.

Catholics and the Supreme Court Appointment

Fry: I'd like to have any ancedotes or stories you can tell about your experiences with Warren.

Cavanaugh: Well, some of them are very personal. You say this doesn't come out for a long time?

Fry: You can put it under seal for as long as you want.

Cavanaugh: Well, there's one story that I think is very interesting. I knew that he had a chance of being on the Court and--

Fry: You mean early.

Cavanaugh: Yes. Before there were any vacancies. I knew that.

Fry: How did you know?

Cavanaugh: I don't remember. I knew this. I used to listen to the radio quite often, short wave and other police calls. This was '53, early one morning about five o'clock, I woke up and had the news on. And the news came over that the chief justice of the United States had just died. And there was speculation that the dean of the law school at Notre Dame and somebody else were mentioned because there were no Catholics on the Supreme Court. And there was no mention of anybody else.

And I thought about it and I was a little concerned. So at five-thirty I called the governor. And Nina answered the phone and I said, "I'd like to talk to the boss and it's really important."

"Well," she said, "I don't think you'd call at five-thirty if it wasn't. I'll wake him up." So she woke him up.

I said, "Did you know that the chief justice has just died?"

He said, "No, I didn't. That's too bad."

"Well," I said, "Would you mind if I got my nose into this thing?"

He said, "This is a field that you shouldn't do too much in."

I said, "This is what I heard. That the two prominent people named for the position are Catholics and there are no Catholics on the court, and I think there'll be a drive for them. I can see how they could build this up. Do you mind if I get ahold of Cardinal McIntyre in Los Angeles? Who in turn, I'm sure, will get in touch with Cardinal Spellman in New York, who in turn will get in touch with the cardinal in Washington, who is the spokesman for them. And I'd like to have them help, and I think they'd want to, because I know that Cardinal McIntyre is a great admirer of yours, and I remember Cardinal Strick was. I think the church feels that

Cavanaugh: you've been very helpful and they owe you a debt--I'd like to have them get the message to the White House right away that they would have no objection to your appointment in preference to an active Catholic."

"Well," he said, "I don't know."

I said, "Well, just let me do that and let it go from there."

He said, "Well, Okay."

So I got on the phone, got the bishop here, who is a good close friend of mine, Bishop Armstrong, who liked Warren very much. And he got in touch with the cardinal and the cardinal got in touch with Spellman, and by noontime the White House was aware that those men in the church at least, and they were pretty ranking, would look with favor on Warren.

Well, about four or five or six days went by and [Herbert] Brownell flew out to McClellan Field and they met and I don't know what happened. A couple of days went by and at six o'clock in the morning I get a phone call and it's the boss. He says, "Well, we made it."

And I said, "What job? On the bench?"

And he says, "No, the top job."

"Well!" I said, "I'll call up the Carmelites and get them off their knees. They've been praying for five days." [Laughter]

He says, "Don't do anything. It won't be released for another five hours." So, the poor Carmelites had to pray an extra five hours, so that he could keep his pledge not to tell anybody. That to me, was one of the funniest--[laughter]

Fry: That's an extremely interesting side light.

Cavanaugh: The details of how it went, I'm not too sure on so I won't comment on it. But I knew it and I was afraid that he would just become a member--which would be pretty good, I don't mean that it wouldn't--but when it was the top spot I couldn't contain myself. I took a ride so I wouldn't see anybody. I just didn't want anybody to know what I knew.

Fry: The longest five hours--

Cavanaugh: It was a long five hours. Until I heard it on the radio, I couldn't say anything. And I never told this story publicly, at all.

Fry: No, you shouldn't.

Cavanaugh: I thought, it just struck me that it might be just enough weight to say, well, maybe we ought to have a Catholic on there. And it really doesn't make any difference and I guess within a couple of years, they appointed Brennan. Wasn't he Catholic? I don't know whether there were any other Catholics on there, but I couldn't care less. If they do their job, that's all right.

Fry: Do you know if Governor Warren had wanted specifically the chief justice spot? Did he bargain hard for that?

Cavanaugh: I don't think he bargained at all. I don't know. I don't know whether there was ever a thought that he wouldn't be chief justice when the vacancy was there. I don't know that.

Fry: You weren't in on that?

Cavanaugh: No, no.

Fry: And he didn't mention anything to you?

Cavanaugh: Oh, no. No, no, no. Whatever their discussion was, I didn't want to know, to tell you the truth. If you know things, most things are apt to leak out. And if you know them, they might suspect you. I don't want to know any more than I have to.

Brownell was very nice, I thought. We met him, all of us met him, in New York at the World Series. They have a brunch before the game up in the headquarters, in the main office of the Yankees.

Brownell and Rockefeller and [James] Hagerty were there. And I was very impressed with Brownell; he's smart as hell.

V THE LEGISLATURE IN ACTION IN THE FORTIES

Labor Legislation

Fry: Was this Eisenhower's Hagerty, not Neil Haggerty?

Cavanaugh: Well, Cornelius was an even closer friend. Cornelius Joseph Aloysius Haggerty is Neil Haggerty. He was the head of labor and a very decent guy and a good friend of Warren's. A good friend.

Fry: Do you know much about the labor problems of that session of the legislature when both the hot cargo bill and the jurisdictional strike bill went to the governor's desk? And I think Warren signed the anti-jurisdictional strike bill, and he let pass without his signature the anti-hot cargo boycott bill.

Cavanaugh: I think Neil always felt that he was fairly treated. I know he did. Neil was a good friend of mine and so was his wife, Mrs. Haggerty. She was very religious.

Neil was the president of the California State Federation of Labor before he became the secretary, which is the active job. And a man from San Francisco, Ed Vandeleur, was his predecessor around the legislature. He was the secretary and he was a relative of ours. He was a nice man. Rough, but good man.

And I'd known Neil long before he was in the active end of it, when he was just the president. He was a very, very fine man. Spoke very well, and very limited education. Neil was a lathing laborer. Oh yeah, I know him well.

Fry: Well, in '48, when this legislation passed, I don't know what effect it had on--

Cavanaugh: Well, the hot cargo thing--

Fry: --on Warren's chances for the governor in '50.

Cavanaugh: As I remember it, the hot cargo bill was Senator George Hatfield's bill, and George represented farmers. I don't really think there was bitterness over it. There was a hell of a fight over it, but there was no real bitterness. They didn't get as bitter in those days as they are now.

Workmen's compensation, those kind of things, were the things that labor was most interested in. Hot cargo was a hot one but the majority by far in the legislature were for it. I don't think it was a close vote. It wasn't a close vote in the senate, as I remember.

City and County Interests

Cavanaugh: I served on a committee with Neil and Dick Graves and three or four other fellows writing the redevelopment legislation. And we worked hard for a year on it.

Fry: Oh, you did?

Cavanaugh: Oh yeah. We all worked hard on it. And the legislature--Hatfield and two or three of them had some objections, [Arthur H.] Artie Breed, Jr., then over on the other side. But there was no fight. We worked the thing out pretty well, though. It took a long time to draw up that redevelopment act.

Fry: Can you describe, briefly, what that act did?

Cavanaugh: It made it possible for local governments to acquire property by condemnation to do overall good, if a place were run down and so forth. But there were a lot of safeguards. That's where they've cleared slums and cleared old areas.

But there were votes of the people required and votes of the elected officials, and there are a lot of safeguards.

Cavanaugh: People must be adequately paid for their property, of course, and if it's for a public good, you first have to prove it's for a public good.

Labor was very helpful in it. We had, I think, seven of us on the committee--somebody from the attorney general's office; half of AFL-CIO (the two were separate in those days); Dick Graves, who was then the head of the League of Cities; oh, and I think the county supervisors' association was represented on it.

Fry: I wanted to ask you more about the League of Cities because, you being right here in Sacramento, I thought perhaps you worked closely with Dick Graves.

Cavanaugh: I did. I did with Dick and with Bud Carpenter. I didn't go over and appear on bills very often. I don't want you to think I think I was a big shot, but I was probably closer to the state senate than anybody.

Fry: Well, you were geographically closer to them than any of the other city managers.

Cavanaugh: Well, that's right. And over the years and for things locally I always felt they were a great help for Sacramento and did whatever I could, either officially or personally. And if the city couldn't put up the money to do things, I did it myself.

Fry: I see pressure on you from two sides here because there was a trend for the cities and counties to want more of the state surplus money, which was available then. And Warren saying, "No, boys, we're going to keep this in the state treasury. We're keeping it for a rainy day."

Cavanaugh: Sacramento always got its share.

Fry: It did?

Cavanaugh: They built a few [state] buildings here you know. And they...

Fry: They certainly did. After the war, during the post-war reconstruction period.

Cavanaugh: Sacramento city's always benefitted tremendously by it. Historically, people don't realize that the city capitol park,

UACHTARÁN NA hÉIREANN
(PRESIDENT OF IRELAND)

BAILE ÁTHA CLIATH
(DUBLIN)

28th May, 1959

Dear Mr. Cavanaugh,

This letter is very belated for which I offer you my sincere apologies. The fault is not altogether mine, however, as it was only yesterday that your letter, together with a large packet of similar communications, reached me from the U.S.A.

My recent visit to your great country was so hurried and my engagements, day and night, so numerous that I had, at no time, an opportunity to read or to acknowledge the numerous letters directed to me from all parts of the U.S.A. I would like to offer you my most sincere thanks for your generous and thoughtful gift. It was most kind and generous of you to send to us such a beautiful and most interesting souvenir of our visit to your great country.

Please be assured that my wife and I are sincerely grateful. With warmest thanks and very best wishes, and trusting that your ideals and wishes for the betterment of your city and its people may, in the years to come, be fully realised, and with sincere wishes for your health, happiness and prosperity.

Believe me,
Very sincerely yours,

Seán T. O'Kelly.

Bartley W. Cavanaugh Esquire,
City Manager of Sacramento,
City Hall,
Sacramento.

AM

Cavanaugh: all but a piece about two hundred by two hundred feet, was purchased by the citizens of Sacramento and given to the state.

Fry: Do you remember anything about the 1946 Christmas tree bill?

Cavanaugh: Oh yes. All the cities and some political subdivisions were interested in it. My main interest was in the city of Sacramento and as long as we were protected on certain things, I didn't really worry too much about the rest of the state.

The details of the Christmas tree bill escape me now. There were funds available if you had some and we took advantage of it. We got all the law would allow.

Fry: When did you become Sacramento city manager, and what can you tell us about doing that job?

Cavanaugh: I served from June 1, 1946 to July 3, 1964. The first few years, of course, as the city manager was new to me, and making a budget was a big job. Keeping the tax rate down was the foremost in everybody's mind and that's what we attempted to do.

We were successful. Our tax rate didn't go up ever. In the eighteen years, it went down, but it never went up. Then this one year I just couldn't make it balance. And there were certain subventions you got from the state; the gas tax, of course, you could only use for certain things, and the in lieu tax and so forth that went into the budget.

And I just couldn't make the budget balance without increasing somewhat the tax on property. And [George] Hatfield and Hulse--I saw them most every night--they devised the idea of moving up the date of when you got your subventions, so I'd get it at the right time so I could balance the budget. A very innocuous bill they put through the legislature, and Sacramento got its money in time for me to balance the budget. So we got over that hump that year and that was it.



Bartley W. Cavanaugh, City Manager's Office
Sacramento, California



Bartley W. Cavanaugh dinner, June 1964, after eighteen years as City Manager of Sacramento, California. Left to right: Earl Warren, Chief Justice; Bartley W. Cavanaugh; Edmund G. "Pat" Brown, Governor of California; J. T. McDermott, contractor; Dennis day, entertainer; Philip C. Wilkins, U.S. District Judge (Master of Ceremonies).

Notable State Senators

Cavanaugh: But they were excellent men. They were very devoted to their jobs and they worked hard at it. Ben Hulse was a great fellow, a fellow who used to love to imbibe a little, and then quit entirely and wouldn't take a drink for the last twenty, twenty-five years of his life. I'd known him under both conditions and I liked him under both, and I liked him the first way the best.

But he was smart. And George [Hatfield] was as smart as they came. Good balance. Good broad fellow.

Fry: That's what I understand.

Cavanaugh: Oh yes. Tremendous.

Fry: And not overly ambitious to go on?

Cavanaugh: George ran for governor once and didn't make it. He was lieutenant governor, and it just fitted him to be a state senator.

Fry: And by the '40s he was--

Cavanaugh: He was state senator, and he was the fellow they all looked to. Republicans, Democrats, they all looked to him. When George said something, they knew he'd given it a lot of thought and George was a brilliant mind. Very, very brilliant.

Fry: That's what Judge Oliver Carter says.

Cavanaugh: Well, Ollie's a pretty smart guy too, you know. He's no chump. Ollie was one of the first young Democrats to come in. Ollie Carter's father followed [Senator] John McColl, who was killed in an automobile accident. And then Ollie succeeded his father as I recall. Yeah, that's right.

Young Ollie Carter is a very nice fellow. Smart as a whip and a good sense of humor. But he was very fond of Hatfield and there was no particular reason for it politically. I mean, they weren't--Ollie was the chairman of the Democratic Central Committee of the state and he was a leader. He was a great friend. And now they think he's a good federal judge too.

Fry: Along about the late '40s, I think it was in that '48 election, there was a ballot issue for reapportioning the senate on the basis of one-man-one-vote, as the assembly was apportioned. And I wondered what the city of Sacramento's position was on that ballot issue?

Cavanaugh: Well, I don't recall--the city of Sacramento has had some outstanding senators.

Fry: Would it have meant that Sacramento would have gotten more senators?

Cavanaugh: Well, we apparently were satisfied with what we had. I don't recall any local campaign to change. I can go back quite a long ways on the state senators and they were most effective for Sacramento, and that's the way you judge them, I guess.

Senator J.M. Inman, Senator [Thomas F.] Scollan, Senator [Roy J.] Neilsen--those are back quite a ways--they were most effective senators, leaders.* Not to the degree of Hatfield because there weren't many leaders of his stature ever, in the legislature.

Over the years, I think Sacramento built a rather good feeling with the legislators. I don't know today because I don't go over there anymore and haven't for a number of years. But the leadership in the senate was always very friendly to Sacramento.

Fry: How did Sacramento feel about the Southern California delegation? Did they see Los Angeles as a rising threat?

Cavanaugh: Well, of course in the senate there was only one, and frankly, nobody, including his fellow members, thought that Culbert Olson was a great senator. He was not any power in the state legislature as a member of the senate.

Bob Kenny, who followed Olson, was liked, but not a tremendous power in there. And then let's see, Jack Tenney was the next one. They were liked, of course, but they weren't tremendous powers. In the assembly they had a sizeable delegation. They were split up quite a little.

*J.M. Inman, 1919-1933; Thomas Scollan, 1935; Roy Neilsen, 1937-1939.

Fry: How did this turn out on the water resource bills? I should think that would have been a division between Sacramento and the south.

Cavanaugh: There was, but I think that the northern people were very fair about it. I don't think they could have gotten the success they've had to the degree that they have had it in the water solution. They're changing back now. On the gas tax allocation and so forth, they're getting more in the south.

There was never really the bitterness and the partisan feeling in the legislature until they did away with cross-filing. In those days you could be nominated on both parties at the primary. You could run on both. Maybe we're big enough so it has to be handled through political parties, but I think the old system was excellent.

Fry: Well, as I understand that in the old system, people lined up more or less according to interests instead of by political parties, so that you did have bitter battles, didn't you, on things like the gas tax where the trucking industry and the oil industry--

Cavanaugh: They were bitter, but they didn't line up just to embarrass the administration, or to degrade the Republicans or the Democrats. Now, today, I would say seventy per cent of the time, if it makes the administration look bad, the feeling is, well, we ought to go this way.

Fry: So public embarrassment as a factor didn't exist as much then?

Cavanaugh: That's correct. Individuals of course, would differ with the governor, whoever the governor was. There was no question about that, and different governors operated differently. I can remember Governor Rolph, in the early thirties, wanted an airplane. He got around the state a lot and loved to get around, and he thought the state ought to have an airplane. The bill got through one house and didn't get through the other, and he never forgot those fellows who voted against the airplane. They had a tough time getting their bills signed.

This young group that I talked about (you said liberals and others), they were all for him getting an airplane. And they didn't have any trouble getting any of their bills signed. He had a list of those fellows. [Pauses]

VI CITY AND STATE ADMINISTRATION

Warren's Appointments

Cavanaugh: As a governor, Warren was most successful. They had confidence in him. He had some excellent men around him. All of his directors of finance were good people. The one that was there the longest was my predecessor as city manager of Sacramento, Jim Dean.

Fry: Oh yes.

Cavanaugh: And Warren's different departmental directors were excellent people. Of course the highway department handles a tremendous amount of money; it's a strange phenomenon in California that they've never had any scandals for forty years or more. They've done a tremendous job with it, certainly with an enormous amount of money.

The state forester that he brought out--

Fry: "Swede" Nelson? [DeWitt Nelson]

Cavanaugh: Swede. Great. Great. And Dick McGee [Director of Corrections]. Great.

Warren had political people, not in the government, in his campaigns, who were most helpful. Tom Mellon in San Francisco was outstanding--could never afford to take a public job. He was too successful in his own right. A fellow who was making his own way up, very successful and finally he's now taken a job in San Francisco. What is he? controller or whatever it is. It's a top job.

Fry: Well, I think it's sort of your equivalent in Sacramento. Chief administrative officer.

Cavanaugh: And I don't think he can be fired. I think it's for life; I don't recall the charter.

Fry: It's a professional job.

Cavanaugh: Yes, I don't think that they can be moved. Well, Tom Mellon was usually Warren's campaign manager, or Tom Kuchel's campaign manager in the past, way back.

Warren had some fine men around him. And he had some good men in his office, men who didn't seek the limelight for themselves. They were very loyal to the governor.

And the ladies he had were tremendous. The lady that was his secretary for years--

Fry: Helen McGregor?

Cavanaugh: Helen McGregor was an outstanding person. Fine person. And Maggie Bryan, and Miss [Mary Alice] Lemmon, she's a nice lady. She's all right. Her father was judge of the superior court and judge of the federal court and then federal circuit court. He was an excellent, fine attorney. Dal Lemmon.

Fry: One of the things that seems to emerge in a picture of Warren's administration is his ability to foresee the problems of the future and prepare for them.

Cavanaugh: That's right. He did. He wasn't hesitant about getting prepared ahead of time when the public wasn't exactly ready for it. He was a great administrator. There was no question about it. Well, I guess the people thought so too.

Fry: He never had the political troubles that later beset people like Kuchel--

Cavanaugh: Well, no other governor had been elected three times, and no governor had been re-elected for a long time.

Fry: I keep trying to find some leaders of the opposition so this can be a balanced series. I thought maybe I'd go talk to Joe Shell, because I think he was involved in that Werdel group that had a rival Republican delegation in 1952.

Cavanaugh: Yeah, I don't know. I knew Tom Werdel when he was up here in the assembly. I didn't care for him.

Fry: Why?

Cavanaugh: Oh, he's kind of a sour fellow. I didn't like him. I didn't want to know him any better than I did.

Fry: What was his reputation?

Cavanaugh: He was an honest fellow. Nothing wrong about that. I don't know what his beef was or anything. I never paid too much attention to him, to tell you the truth. And Joe Shell, I never knew. Never knew him at all.

The Sacramento Scene

Cavanaugh: Well, Warren had his problems, of course. Fellows want certain things and they get worked up on their side. He made enemies, I don't mean that he didn't; anybody does, but he was well-liked during the time he was governor. Every year or every two years, the president pro tem of the senate would have a dinner for all the senators and the governor and they'd have some fine times. And I'd always sneak in too.

Fry: Would you?

Cavanaugh: Oh sure, for many years. It was a funny relationship for a fellow like me to have with the legislature, but it was there.

Fry: You had a very special one.

Cavanaugh: I did, I did. I didn't abuse it, I don't think. They knew I was from the city of Sacramento but I didn't get mixed up in this other stuff. Once in a while if I knew Warren was very strong for something, I'd try a little to help, but I didn't-- And once in a while he'd ask me to do some things too. You scratch my back and you'll scratch their back.

Fry: I'm sure that if you live within ten miles of the legislature, you can get in on that.

Cavanaugh: Yes. I used to go there every day.

Fry: Oh really?

Cavanaugh: Yes. Well, when I was city manager I didn't go over there until the evenings. They'd have an hour of free speech around the Senator Hotel in different people's room and I was always there.

Fry: Well, I wish we could recapture that atmosphere.

Cavanaugh: No, I don't want to. I don't want any part of it. Mr. [Arthur] Samish made a big jackass out of everybody, and that's good enough. Let him.

Fry: Oh, but other than Samish's own little part there, I imagine that the Senator Hotel was a very important place. A lot of legislation was designed there--

Cavanaugh: Of course, of course it was.

Fry: I mean completely divorced from the Samish--

Cavanaugh: That's right. They got together. They discussed things, and they found out things. They had confidence in people, and they'd ask you-- I remember Hatfield a lot of times saying, "What's really the dope on this?" "How bad is it?" or "How good is it?" And you had to tell him, or not be a friend anymore. You know.

Fry: Well, a legislator also would be interested in getting a number of different opinions on something, and a happy hour at the Senator Hotel would afford access to a lot of different people with different points of view, I would think.

Cavanaugh: And it was most helpful, of course, as city manager. There was a senator from Chico, Charlie Deuel. He was a newspaper guy.

Fry: Deuel. Yes.

Cavanaugh: He was a great old guy. Once in a while in the evening, I'd sit with him someplace, and he'd go over stuff with me. They took an interest in it; the papers would carry local things. I'd go over and ask his advice a lot of times.

Cavanaugh: I'll never forget, there was some important legislation that Hatfield was interested in for his own district. And he got the legislation through after a tough fight. I don't know, it was something particularly from Merced County. And in the early edition of the Bee, it had a story about Hatfield's success with it on the front page.

Sacramento Police Department

Cavanaugh: Well, that morning I had made up my mind that I was going to do some things. This was my first year and I didn't like the way the city police department was operating. We'd had a chief of police who was all right for the previous people. He'd been there eight years, which in those days was quite a long time for a police chief. So, I fired the chief, five captains, and the chief of detectives, just like that. And I put a patrolman in as chief of police.

Well, in the main edition of the Bee that went down to Hatfield's territory, his story was off the front page and the picture of all these high brass in the police department that had been fired had taken its place.

And Hatfield said, "Why didn't the hell you do it on another day?" I'll never forget that. Of course he knew I was going to do it, because I wasn't satisfied.

And the strange thing--the patrolman lasted eighteen years as chief of police. From patrolman to chief in one day and then eighteen years as chief. He was a fellow--in prohibition in those days, there were things that policemen did that they don't do anymore. In those days bootlegging was pretty generally accepted by the public, and we assumed that a lot of policemen were being taken care of financially. I wanted a little shake-up. And this man had been a traffic control officer in the police department, went into the army, served in North Africa and Sicily, Italy, and in France; came home a full colonel, and went back to work as a policeman and did his job. And I thought that a guy that had that kind of ability and courage, honest, would be my man. And I appointed him and we selected all the other supervising personnel.

Cavanaugh: I don't know whether you heard me or not, but I had a nice relationship with the FBI and we sent all our people to--they used to have two schools a year, and it was very difficult to get people in. There were only 120 in the United States as I recall it. And we had somebody in each class for maybe ten years.

Fry: Is that right?

Cavanaugh: Yes, yes. We had more people graduate from the FBI academy in the Sacramento police department than big departments all over the country. But it was, I thought, fine, and it was a nice relationship for me.

Fry: I think under the Attorney General Kenny's office, during Warren's first term, they tried to institute some training programs. Maybe it was down at San Jose State.

Cavanaugh: Yes, there was a police school there.

Fry: Did you use that?

Cavanaugh: No, we used the academy, and then we set up our own and our people who would come back would teach along with the resident agents. Teach the policemen, the new ones as they came in.

Fry: Here in the department?

Cavanaugh: And then every so often we had a refresher course. Now it's a combination, the sheriff and the police department and so forth. But we set up our own little school. It was most helpful. Sacramento's had a good police department. Been clean. That's what you worry about.

Fry: Yes, that's the big problem.

Cavanaugh: That you have to worry about. See what happened in New York. That's a tragedy. A lieutenant committed suicide and they indict all of that--and it just breaks down a police department.

Fry: It breaks down a whole city.

Cavanaugh: That's right. You can't do that. Pay them well, make them do a good job. But you got to pay them properly. And of course you'll never satisfy all of them.

Fry: It's a tough job.

Can you think of an example in which you had a problem of city administration which you talked over with Earl Warren?

Cavanaugh: I can't think of just one. They were all discussed. We'd go on rides, and once in a while he'd say, "Now let's get off the city of Sacramento. Let's enjoy the scenery." Or something like that. No, I used to discuss it with him, of course. And he was very experienced. Particularly in law enforcement. He knew. And he had some good men that he trusted. Oscar Jahnsen. Oscar would let me know some things once in a while.

Fry: You mean advice?

Cavanaugh: No, if something was brewin' or something. You know, if you know ahead of time that they're going to start something.

Sacramento, in early days, was a pretty open city. I'm no reformer, don't misunderstand me. But it was pretty open and there was gambling, prostitution, and those things. Modern cities, that doesn't do you any good. It breaks down the police department. So, we just didn't have it. And it was a choice morsel for people to come in and try and start. And if you knew ahead of time what they were going to do, it was much easier to stop it before it got started.

Fry: And that was where Jahnsen--

Cavanaugh: Well, some. And I had some off-color friends, too, who always kept me informed. Big shot from Nevada who was a leading gambler and racketeer over there. I'd done him a favor once; he knew that there was no money business in Sacramento, and he used to tell me.

Fry: He'd let you know if somebody else was trying to break in?

Cavanaugh: That's right. He was a strange combination. He did nine years in Leavenworth. And during the time he was in Leavenworth he paid tax on his income of $1,280,000.

Fry: You mean income he made while he was in Leavenworth?

Cavanaugh: That's correct. And he said the accommodations really weren't worth it. [Laughter] Now, I think that's a great sense of humor. I say that because he no longer--he's dead now. This was a fellow by the name of Bill Graham. That's right. He owned Cal-Neva, he owned the Bank Club, he owned a lot of stuff. Graham and McKay in the early days of night life.

And he did his time. And when he got out he got a pardon from the president of the United States so he could vote again. I like that.

Fry: That's living in style.

Cavanaugh: That's right. That's really going pretty good. Going pretty good.

Fry: Which president would have done that?

Cavanaugh: Harry Truman. He did it because of the senator from Nevada, what's his name? The old-timer--Pat McCarran. Well, Graham was a good citizen. He got into a big bunco deal. Of course, he was a gambler and racketeer, no question about it. He had a bodyguard one time; he got into a little trouble. Baby-faced Nelson, if you heard of him.

Fry: Oh, was he his bodyguard?

Cavanaugh: Yeah, he had a little trouble. But Bill was quite a fellow. I'm sure he'd done business with officials under the table, I guess, I don't know. But they don't like him. They admire people who don't do business.

And he was proud of Sacramento! He'd come and park in back of the City Hall and the fellow--not a policeman, but the man who looked after the parking in back--I told him that the fellow who was coming down was the lieutenant governor of Nevada. He used to keep the parking space for him--show him in--Bill would come in with his briefcase. You know what he had in the briefcase? Racing forms, that's all. He didn't want to pack it under his arm when he came in.

He was a colorful fellow, Bill Graham. He had some strange people too. Jack Dempsey worked for him. He used to own a race track over in Reno and he promoted the Max Baer fight against Paolino Uzcudun. And Dempsey was his front man.

Cavanaugh: You see, I get around a little.

State Crime Commission

Fry: Oh yes, I think we could go on all day. What about the Crime Commission? Were you--

Cavanaugh: For Sacramento? For the state of California?

Fry: The one that Warren appointed for the state, sort of to offset Attorney General Fred Howser's activities. I know a little about it. Warren Olney III was the director.

Cavanaugh: Warren Olney is a real class fellow. He's very fond of Warren. He was in his office early, when he first started to practice law. And his father had the finest legal firm in San Francisco, and of course he wanted his son in with him, and he finally went over with him. As soon as his father died, he went back into public service.

The Crime Commission was kind of a hot bill. Near the end of the session it got down to needing few more votes, and that was one of the times the governor asked me to go to work on it.

Fry: What did you do?

Cavanaugh: I just saw some of my friends to see what could be done.

Fry: What was the basis of the opposition?

Cavanaugh: There's always fear of these kind of things. There was no-- oh, there may have been some, but my friends who I thought could easily vote for it just generally didn't care for adding another commission to state government. And that was all.

They had some things they wanted in their own legislation, waiting to be signed by the governor.

Fry: So you scratched backs?

Cavanaugh: I wouldn't say that. The governor didn't know exactly what they wanted. I didn't want him to know. I knew it was necessary to talk to them to get a few votes.

Fry: Well, what were their objections to it?

Cavanaugh: Just generally that these investigations over the years, I don't think, have been too productive, and they don't like to see commissions created, I guess. Just a general feeling against them, like Senator Hatfield and Senator Rich. There were some of course, who were afraid of them. But not the people I'm talking about.

And I don't know Warren Olney very well. Of course I've met him many times. But he's a classy fellow. And then there was another fellow, who teaches at Berkeley now. Is it Sherry?

Fry: Arthur Sherry.

Cavanaugh: Arthur Sherry. They're fine fellows. They're class guys and they could make all kinds of money doing something else. No question about it.

Warren Olney, was he later in charge of federal courts?

Fry: He was the administrator under Warren on the Supreme Court.

Cavanaugh: There were a lot of guys who came out of Warren's district attorney's office in Alameda County. There was no one type. I mean he didn't pick all Shriners or all this or that. They were a good cross section.

Earl Warren has been very active and high ranking in the Masonic Order. A great respect given to him. And that has never swayed his feeling towards appointments of public officials, whether you belonged or didn't, or Catholic or anything else. It didn't make any difference.

Fry: Bill Sweigert, his main assistant, was Catholic.

Cavanaugh: That's correct.

Fry: I wonder if Attorney General Howser was able to line up support against the Crime Commission. Did you run into that?

Cavanaugh: I doubt it. No, Howser was a dead fish; everybody was suspicious of him. Oh, he might have lined up some for favors he'd done or something. I don't think there was any real plot. Except those bills aren't easy to get through. It was an appropriation and it was delegated some authority, I guess.

But it was one of those bills that had come down to the end; I think it was passed during the end of the session. They always have to jockey a point too, you know; they want to get some things themselves. And they knew he wanted this bill. It was very effective, the commission was on the up and up. I don't remember who composed the commission. Oh, I remember. They were high-class fellows, sure. But long before the bill came up, I guess it was during or after the war, every month they had a meeting here.* And the resident FBI agent from Los Angeles--it was Dick Hood most of the time; and Nat Peeper from San Francisco, the old G man, was head of the division there. I know him well. He's out of the bureau now. Went into public relations. He was in charge of Northern California for the FBI when the war broke out. He was one of the real well-known FBI guys. But they used to come to a conference here once a month. It was during the war, primarily.

I would say no public official in California history was held in higher regard by peace officers and policemen and district attorney than Warren. They all swore by him. Sheriffs, oh a few bad ones--no of course not. But he had their great respect.

He was a great prosecutor. Prosecutor not <u>per</u>secutor, prosecutor. And he was effective in appearing before the legislature when he was district attorney of Alameda County. Of course, he had some rough ones. He had to put a sheriff and a few other people in jail. No question about it, that was it. And he did.

Fry: Yes, he was very successful in that. When you had to fire your police chief and so forth, was this something that--

*The legislation authorizing the commission was signed November 1, 1947, with reports to be rendered not later than July 1, 1949.

Cavanaugh: No scandal.

Fry: But I wonder if it was a problem that you and Warren discussed?

Cavanaugh: No, I don't think so. After it was done, he knew what was going on, he knew what I was doing.

Fry: I think that would be implied from what you said, and I wanted to get that cleared up.

Cavanaugh: That might be implied, but he didn't advise me to do anything like that. He was very helpful in general advice and forming my thoughts on things: A good job is the best politics, that's all. No question about it. Do the best job you can. If that isn't good enough, that's it, period. But don't try to pull some tricks and second guess yourself. You can't compromise these things. Oh, within reason, I don't mean you just always have your own way but you don't compromise principles, that's it. Because if you do, you never sleep well, anyway.

VII CONCLUDING THOUGHTS

Warren and Presidents Kennedy and Johnson

Fry: I haven't talked to Mrs. Warren yet, and I wondered if--

Cavanaugh: It would be a pleasure. She's great. She's a fine, fine lady. She's been a tremendous person for him, no question about that. She's such a gracious, nice lady. No airs about her.

Fry: Just a real person.

Cavanaugh: Yes. One year I took my grandsons, or one of them, and four of his little friends down to San Francisco to the East-West Game. They were all ten and eleven years old. And we got a couple of rooms at the St. Francis Hotel and stayed for a couple of days. I took them on the cable cars and to Fisherman's Wharf and everything.

And Mrs. Warren had them up to their apartment at the Fairmont. I'll never forget that. And those kids were the funniest--she had peanuts and Coca-Cola and chewing gum and everything for them. She was very gracious to them. They got a tremendous kick out of looking out the windows. That was the year that Kennedy was shot. What was the date?

Fry: The early part of November, 1963.

Cavanaugh: This was the first of the next year. The governor wasn't there until later. He was up at Vallejo christening a submarine or something. And when he got back, there was a letter for him from Mrs. Kennedy. And she thanked him for all he'd done for

Cavanaugh: the ceremonies and so forth and reminded him of the night before they left to go to Texas. They had gone to some party together. The Kennedys and the Warrens. And they'd ridden home together. And what a nice evening they'd had. Apparently John Kennedy was very fond of Warren. Very fond of him.

You hear all these things about the feeling--men have differences of opinion--but Warren felt very warmly towards Kennedy. And I remember afterwards when Johnson was president. I don't remember if it was a state funeral or what it was--Warren had to go to Germany for something and the President said, "Oh, you're going to Germany in the next couple of days?"

And he said, "Yes, for some official business."

He said, "Well, why don't you take my plane and take your family with you? Take your kids." And they all went. In the president's plane. And that to me would indicate that, whether politics or public business, they must have thought a lot about him.

He represented the President at the Coronation in England. And at Pope John's funeral too. He was in Spain, at a celebration in memory of Father Serra, when Pope John died, so he went on to Rome to represent the United States there.

I think he's been highly respected. Sure, people are mad about some of these decisions. I've always felt that the reporting of the Supreme Court decisions is some reporter's personal opinion of what the opinion says and they report it within an hour. Now I know it was, on the big school case. As I understand it, when they got through with their opinion, there was only the lady who typed the thing who knew it. Nobody else. And the printers were in the basement in security who printed up the opinions, and within an hour the reporters were all experts on the whole thing.

Now, I don't think we get a real picture. I'm not a lawyer, but I don't think we get the real picture in the first blush of these things. These decisions, they're specific enough, I don't mean that. But people try to apply them to every case. That's just my opinion.

Fry: Do you feel that in the Brown decision that there was too much consternation, that the press--

Cavanaugh: No, I don't think on that one decision. I'm not talking about one. But any of these big decisions, a newspaper will come out with their stories based on not enough study of the opinion. Now, I get so tired of these commentators being on in two minutes after the president makes a talk. And I'm sure that they didn't--one talk in particular, I know they didn't know about it ahead of time. That was the one of these last talks of President Nixon's. But they're experts on everything. They're intelligent guys, but they're fallible human beings just like anybody else.

Warren and His Supreme Court Decisions

Cavanaugh: But on the court decisions, you have so many people saying, well they're doing this and they're doing that--I think we're too liberal in a lot of our interpretations, but I don't blame the court for everything. Of course, I'm prejudiced. Sure, I'm prejudiced. Warren is my friend and I wouldn't say he couldn't make a mistake, but it would have to be a hell of a one for me to admit it. [Laughter] That's right. No question about it. No use beating around the bush.

One time Warren and I were talking and he told me that in Washington, D.C. the parochial schools had integrated by starting in the kindergarten and each year extending it one grade. He obviously had found out about this and thought it had considerable merit.

This was before the Brown decision came out. Well, I got suspicious of why he would mention this. I didn't know what he was doing, never asked him either, never did know until the court came out with the decision. I was down in Texas when that decision came up, so I called him. I was in some fancy hotel in Dallas, I guess, or Houston. I think I was at the Shamrock. And the papers were full of this equal education thing. [Laughing] So, I put in the call. I told them I wanted to talk to Washington, D.C., the Chief Justice, Earl Warren, and the operator said, "Did you read about it?" And I said, "No, I didn't read about it." She thought I was going to complain. [Laughter] So, I called him and told him it was all right; I liked it. I said, "Now I know what you were working on though."

Fry: That's interesting that he had noticed this method of integration going on in the Catholic schools--

Cavanaugh: Oh yes, they'd study a lot of this stuff there.

Fry: Did he mention anything else to you?

Cavanaugh: No, no, and I never asked either. I'm interested in people; I'd ask him about what kind of a guy this fellow is or what kind of a guy that fellow is, and that's why I know he was fond of Kennedy. I don't think they would have asked him to participate in the funeral service unless he was a friend. I'm sure they were warm personal friends. I know they were.

Fry: Do you know if he and President Eisenhower were friendly?

Cavanaugh: Yes, I think they were friendly.

Fry: What about his feelings toward Nixon?

Cavanaugh: I don't think he ever cared for Nixon. Warren was polite and courteous, but even before Nixon became senator, he didn't care for him. It was Nixon's general character. I don't think he trusted him.

Oh, I think his record as Chief Justice will go down very favorably in history.

Fry: Weren't you frequently hard-put to defend him here in Sacramento when he was on the court?

Cavanaugh: My defense is, "He's my friend, and I think he's right, and if you don't like it, and you want to fight or argue about it, I don't care. There's no in between." I don't agree with a lot of it, don't misunderstand, but I'm not telling anybody else that.

Fry: I was wondering what your sense is of his old friends in Sacramento and their reaction to his court decisions?

Cavanaugh: All I know is that the four guys will fight--

Fry: You mean the baseball "club"?

Cavanaugh: That's right, the marching society. We may not agree with him, but we all stand up and fight for him without hesitation; we

Cavanaugh: don't want to argue too much. If somebody keeps at it, we say, "Fight or shut up." Of course, I'm getting a little too old to fight, but I can make a hell of a bluff at them. [Laughter]

Oh sure, some of these friends feel, maybe strongly, that he's been too liberal. I don't know. I think most of his friends are pretty loyal to him, because he's been loyal to his friends over the years, I know that.

Warren Relaxing

Fry: Well, do you have any other particular stories or things to add?

Cavanaugh: No, I just think he's been a great public servant, because he has been concerned about serving the public and what's best.

One time we had stayed over in San Francisco overnight, and we went out to the Cliff House for breakfast. (We'd do that once in a while, have a fizz or something, have breakfast.) And we're riding back through San Francisco in a roundabout way; we'd get lost. It didn't make any difference. And it was approaching election time. And he says, "You know, looking over a big city like this and thinking of all the people in the city, why do you think so many people vote for me?" He said, "It always kind of mystifies me." He said, "I know very few people, but over the years, gee whiz, a lot of people have voted for me." And it was an interesting comment, I thought.

Fry: He was such an adroit vote-getter, that is an interesting comment.

Cavanaugh: Oh, yes. He had no machine or anything like that. Fellows who were for him would get out and work, and the mechanics, they weren't too involved. He was a great candidate, of course; people liked him.

Years ago, on an election day, Warren was running for governor--Biz Johnson (I don't know whether you ever heard of

Cavanaugh: him or not. He's a congressman, been a congressman for ten or twelve years, used to be a state senator. He's from Roseville.)* And we were taking a ride; there were no saloons open in those days. It was a holiday. And we rode through Roseville. And he says, "Let's stop and see Biz."

So we went by his fruit-shipping thing down by the railroad. He came out and the governor says to him, "How you doing in the election?"

And Biz said, [laughing] "For Christ's sake, you're running for office today too. What are you doing wandering around asking how I'm doing?" And Biz is a Democrat [laughter] running for state senate.

He said, "We're just riding around." Biz is a fine congressman, very effective. He's an excellent man.

Fry: In riding around with the governor, was "Pat" [Edgar] Patterson ever your chauffeur?

Cavanaugh: No, I did the driving. Pat was in those days, I think, at the mansion most of the time and would drive in town. But on trips, they usually had a highway patrolman. Pat in those days I think was a state policeman and drove the kids to school.

Fry: Yes, I think so.

Cavanaugh: Yes, but I used to go over quite often and go in the back way. I'd see Pat out there. Oh, I liked Pat very much.

But, it was relaxation, and we'd look at things. We'd go up and look at where they were building Folsom Dam. We'd get lost and couldn't find it two or three times. We couldn't find the Richmond-San Rafael Bridge twice.

Fry: Oh no! [Laughter]

Cavanaugh: Didn't find it either. [Laughter] Sure, we were great.

*Harold T. Johnson represented the seventh state senate district 1949-56.

Fry: I can see how your conversation between you, as a city administrator, and him, as a state administrator, could get too interesting to notice turn-offs.

Cavanaugh: Oh, we'd get into arguments, of course, but most of the arguments were about things in our trips. We'd limit the arguments. For instance, Wilkins couldn't argue legal points, he's barred from that, with Warren. They had to argue about things they didn't know about. It didn't make it too interesting. And we'd all argue about baseball, or football, or about the rules. Everybody'd bring their own rule book, you'd look up records and catch one another, make a two-bit bet on how many hits in the World Series anybody got hitting left-handed. Look up everything.

We would get a big suite of rooms. We'd have a great big living room--we were all paying the bills. I rolled a little, you know. When there's four or five of you paying, it isn't so bad. And we'd get a big piano in the room. Nobody could play the piano; it was to put our hats on--our caps. [Laughter] That's right. We'd get back to the hotel, and we'd wear them in the room. And in the mornings, we'd all have breakfast. We'd order breakfast, and we'd expect it there at a certain time every morning, the same breakfast--all kinds of stuff. And we'd eat and argue and then get dressed and go to the ball game.

When we were out we were very proper. I would no more call him "Earl" in front of people than fly. Most of his friends called him "governor," and if you're around people or if you're in Washington, you call him "the Chief Justice," but when we were by ourselves, I called him "Boss" most of the time--I don't know why. Or "Earl," but I don't like to call him "Earl." I wouldn't call him "Earl" in front of people at all.

Fry: I think it was Tom Storke who told me that when they would travel together, this would be the family with wives along, along about five o'clock in the afternoon he would say something like "Well, I think it's time to recess court and retire to the chambers." So they would go down to the bar, and he said that Warren's favorite was--I think--it was Haig & Haig.

Cavanaugh: Well, he likes that, or he likes Grant's scotch too. And I drink Jack Daniels, that's all; just straight Jack Daniels.

Cavanaugh: That's all I ever drink. But he drinks scotch most of the time. And we drink a little wine.

Fry: I should think a governor of California would have to drink some wine!

Cavanaugh: Well, he likes wine too; he likes California wines, of course. He's not a heavy drinker at all. But when we'd have dinner by ourselves, I mean the four of us, and sit around and argue and watch television or something, we'd all do pretty good, because we're not going anyplace or anything. And he loved to go to Toots Shor's too. He enjoyed going over there.

Fry: Oh, is that right?

Cavanaugh: Oh yes, he enjoyed that very much.

Fry: Did he have any favorite entertainers?

Cavanaugh: Darned if I know. Oh, he liked sporting events, I guess, as much as anything.

Fry: Wasn't he asked once to consider being baseball commissioner?

Cavanaugh: Baseball commissioner, yes. He'd have made them a good one, because there's some things that have to be done in professional sports or they're going to get in lots of trouble--both sides.

Fry: Did he mention this to you at the time?

Cavanaugh: No.

Fry: Well, speaking of sports, we'd better let you get out on that golf course.

Cavanaugh: Well, I'm not in very good shape at it. I've got to play tomorrow in a tournament that to me is kind of funny. It's a Catholic Youth Organization. And this is the twelfth year. It costs you a hundred dollars to play in it, and you're playing foursomes. And the first year we played, Father Kavanagh, myself, my son--that's three "Cavanaughs," and a fellow by the name of Phil Dixon, who's a farmer down the river, a pretty good golfer, and a Mormon and a big shot Shriner; and we teased the life out of him. [Laughter]

Cavanaugh: Okay, the first two or three years, its' Father Kavanagh; the next year he gets promoted to be a monsignor, about the fourth year of the tournament. The fifth year, Dixon, the Mormon, wants to know when Monsignor's going to be made bishop, and he says it in front of about fifteen priests. [Laughter] Now, he says, "Monsignor, I got you this far. From now on you're on your own." [Laughter] So, we've had a great time with this--Cavanaugh, Cavanaugh, Kavanagh, and Dixon.

Fry: And you play together every tournament?

Cavanaugh: Oh yes.

Fry: That must drive newspaper reporters wild.

Cavanaugh: Oh, well, it isn't that big a tournament. But, it's a pretty good tournament. Oh, they raise twelve or fourteen thousand dollars every year for the CYO camp up in the mountains.

Fry: Oh, that's a very effective--

Cavanaugh: Oh, yes, it's fine, good.

Fry: Well, thank you so much.

Cavanaugh: Well, I don't know whether it's stuff you can use; I just ramble on.

Fry: I think it's fascinating. I would never have known about the marching society.

Cavanaugh: Well, we let John Daly come once in a while with us. We're all fond of John Daly. I like John. Virginia [Warren Daly]'s one of my pets; I like Virginia. Virginia and Bobby, and Jim is a fine fellow. He's a real good guy. Dorothy seems happy. I haven't seen her for a couple of years. Honey Bear looked good last year when I saw her. But Jim is a helluva guy. Bobby's a pleasant kid--big, fine kid. I like him very much.

Fry: Yes, he's kind of making a slot for himself now, down in Davis on the planning commission.

Cavanaugh: Good for him. Geez, I remember seeing a picture of him the first day that they moved into the mansion, and then beside it

Cavanaugh: they have a picture of him the day they left. There was certainly a change.

Fry: Yes, he spent his growing-up years in the governor's mansion.

Early Political Reminiscences

Cavanaugh: I like the old house.

Fry: Yes, I do too. Oh, that reminds me--I did want to ask you, do you have any family papers from all these historic forebears of yours?

Cavanaugh: Well, we've tried to straighten around the house. I had a strange thing. In the early days in Sacramento, the Bee and my father didn't get along--politics. My father was a political boss, and the Bee didn't like him. Anyway, we have an editorial old C.K. McClatchy wrote about my father when he died. It was the strangest, old-fashioned language, about "his friend Bart" and so forth. My father handled politics for the Southern Pacific Railroad, which was the bad political group--and my father's attorney was Hiram Johnson.

Fry: Oh really!

Cavanaugh: Yes [laughing], in private matters. So Hiram made his reputation by "getting the SP out of politics." That's all right. First the Bee was as fond of Hiram Johnson as they are of Warren, though they were not on the same political side on things. But the Johnsons and my father and my mother were friends, there's no question about that. Politics didn't interfere.

Fry: Was this after Johnson became governor or before?

Cavanaugh: This was before; he was in private law practice. My father died in 1906, so you can imagine how long ago that was.

Fry: Then he would have been in the old guard, Southern Pacific Republican party, and Congressman Joe Knowland, I think, also was.

Cavanaugh: That's right. And Mike Kelly.

Fry: And Mike Kelly of Oakland who held so much patronage there.

Cavanaugh: Mike Kelly and my father were very good friends; and a fellow in San Francisco whom maybe you never heard of, Chris Buckley, who was my sister's godfather--"Blind Chris." He was the political boss of San Francisco. That was before Tom Finn. Finn succeeded Buckley. But they got most of their political power through jobs. The biggest employer in Sacramento, of course, was the Southern Pacific Company, in the early days, and nobody went to work for the Southern Pacific Company who didn't get an okay from my father. That's the way they'd use the thing.

Fry: Did your father also work the legislature for the Southern Pacific?

Cavanaugh: No, a man by the name of Herron was the attorney for the Southern Pacific Company, and he always gave as his address our house in Sacramento. He never stayed there, but--

Fry: He did! Well, I hope you do have some materials from him.

Cavanaugh: Oh, I don't want to get mixed up in all this stuff. It involves other people, it's my opinion of other people, and I don't want that.

Fry: No, what I mean is papers, documents, old records, old letters, that could be deposited in a safe depository.

Warren and the Silver Money Clip

Cavanaugh: Well, I never told you this one: the only letter I have--I don't know what the year was, but it was on Saint Patrick's Day. The President of Ireland was the guest of the President of the United States and was to be entertained by the Supreme Court at a luncheon. Sean T. O'Kelly was the President of Ireland.

Fry: Who was President of the United States?

Cavanaugh: Eisenhower. So, I'm in Arizona watching spring training, and Warren called me and says, "You gotta get back here."

Cavanaugh: "What's the matter?"

"Well, you'll like it, you'll like it." [Laughter] "Do you have a tuxedo with you?"

And I said, "No."

"Well, get one, and come on back."

So, I got back to Washington. It was the first year the jets were flown, first week. I got on a jet and went to New York and saw the Saint Patrick's Day parade in the morning. Then I went right down to Washington. I got there about four o'clock in the afternoon. He says, "Geez, you were a long time getting here."

I said, "Well, I went to New York and saw the parade."

He says, "Aw, you're crazy. Well, go home and get your clothes changed, we're going out to dinner." So, okay, I get all dressed up in a tuxedo. (I hate to get dressed up.) And we went to dinner, about two hundred and fifty people--the Friendly Sons of Saint Patrick. And the honored guests are the President of the United States and the President of Ireland. And the guy who makes the speech--and they're all Irishmen with the exception of a few guests--is Barry Goldwater. And I didn't care much for him, except that in the speech he said, "My Jewish grandfather would be most surprised."

Well, I didn't know what the Friendly Sons of Saint Patrick were, but they're an organization that was started by General Washington to thank a fellow by the name of Charles Carroll, who was a signer of the Declaration of Independence, for mostly financing the revolution. He put up more money than anybody else.

So, the next day, O'Kelly addresses a joint session of the Congress, and I went with Mrs. Warren and sat behind Mrs. Eisenhower, saw all this business, and then we left; Virginia showed me a shortcut over to the Senate side from the House side and then to the Court. And while we're walking down the hall, some little guy came along and hollered at Virginia--he had an earphone on--this was Senator Green, I think, from Rhode Island, an old, old guy--eighty. Oh, a great little guy. And then a young guy came along, and they

Cavanaugh: steered us over. The young guy was John Kennedy. And I sure liked that.

Okay. The luncheon was in the Supreme Court conference room, and all the justices and their wives were there, and the President of Ireland and his wife, and his military aide, and the foreign secretary, and their wives. And Virginia and I at the bottom of the table.

But before we went in, Mrs. Warren arranged for me to sit with O'Kelly, to have a little cocktail before it. So we sat on the sofa, and I didn't know what the hell to say to him, just didn't know what to say to him.

Well, I have a twenty dollar gold piece as a money clip, and it's a nice looking coin, beautiful, as a matter of fact. So, I don't know what the hell to talk about to the President. I said, "Well, you've come a long way."

He said, "You've come just as far for this luncheon." I'd told him that. But I said, "Here's a little souvenir for you. This was mined in California, and it was minted by a fellow by the name of Mike Kelly." That isn't quite correct, but he was the head of the mint once. "And I want you to keep this." Well, he thanked me fine. He didn't realize what it was.

And when he got home, he wrote me a letter--that's about the only fancy letter I have--thanking me very much for the thing.

Okay, I had a big day--go to a cocktail party at the Irish consulate or whatever they call it. They had it in a hotel, but they sponsored it, meet a lot of Irish people, one of whom was Joe Tumulty's son--the son of Joe Tumulty, who was Woodrow Wilson's right hand guy. So, we talked a lot of stuff about Ireland and all that.

Well, we get home, and the "boss," Warren, his nose is outa joint. He says, "I saw what you did there with O'Kelly."

I said, "I just gave him my coin clip."

He says, "Sure, you're my houseguest, you come back here, I got a one-dollar, silver dollar money clip. And you give

Cavanaugh: to a stranger--because his name is O'Kelly--you give him a hundred-and-fifty-dollar, two-hundred-dollar money clip." [Laughter]

Fry: Had you given Warren the one-dollar money clip?

Cavanaugh: No. But I went and got him one just like I gave O'Kelly, I'll guarantee you that. [Laughter] Oh, he was funny about it. He brought this one dollar silver dollar out--"Look at that," he says, "and you give O'Kelly--"

But when you said letters, I do have that one letter. I have some nice letters from Wendell Willkie too.

Fry: Some of those we want to include in the final transcript.

Cavanaugh: Well, I think you're getting too much personal stuff.

Fry: But researchers will be interested in Willkie, too. You see, The Bancroft has quite a collection of political history material that it can go with.

Cavanaugh: Willkie was a nice man, a real nice man.

Fry: We have quite a collection, too, of Southern Pacific material.

Cavanaugh: I don't want to get involved in that. All I know about those days was hearsay. My mother told me.

Fry: Your dad didn't keep a diary or write letters or anything like that?

Cavanaugh: They didn't keep those kind of records, I should say not! But they did have a little authority. A fellow in San Francisco--his father and my father were involved in Southern Pacific politics: Jim Carr. Jim Carr's father was Carr and Kennedy up in Redding; that was a railroad area, and he was the attorney for them. And he was an old-timer; he knew my father and they did politics together. So did his father and I do a little politics together. Do you know Jim Carr? He's a real sharp kid.

Fry: Well, there were three Carr boys, and they all became quite effective.

Cavanaugh: Lawrence, Jim, Francis. Francis was the lobbyist for the PG&E Company. His brother was in the Department of the Interior.

Cavanaugh: But he's now head of the Utilities Commission of San Francisco, the airport and everything else. Yes, he's a smart guy.

Fry: Yes. I think Judge Oliver Carter was telling me about these connections.

Cavanaugh: They were all connected, they were all connected. Carr, Kennedy--Carter. Maybe they were together in their own firm up in Redding.

Fry: Well, we'll need some pictures and things like this, but I'll be writing you about it.

Cavanaugh: Okay, fine.

Transcriber: Marilyn Fernandez
Final Typist: Keiko Sugimoto

From Sacramento Bee, no date: a few days after the Earl Warren funeral on Friday, July 12, at Arlington National Cemetery

McDermott: Chief Justice 'Finest Man I've Known'

By Jack McDermott

If you could have seen him through my eyes there would have been no question at all regarding Earl Warren as the finest man I have ever been privileged to know.

I cannot speak of him without mentioning his wife. Nina Warren fulfilled every requirement that is necessary for all great men to be what they are. I sincerely believe that Earl Warren would not have been able to endure the political criticism for the Supreme Court's decision of 1954 relative to integration had it not been for her.

October 1954 was the beginning of my real friendship with the chief justice of the United States. In September 1954 Phil Wilkins, now US district judge, told me that he and Bart Cavanaugh were going to the World Series with the chief justice. Phil was informed that I wanted to go and would he try and arrange it with Cavanaugh. Cavanaugh agreed that I could come. Wilkins and Cavanaugh left three days early. I left Sacramento airport the day before the series opened in Cleveland. At the airport I met JoJo White who was then in the Cleveland organization and had been invited to be a guest of the ball club. On the plane ride east JoJo said he did not have a place to stay. "Forget it," I said. "Just come with me. I'm meeting the chief justice. We'll arrange a room for you." At the hotel I explained on the house phone to Phil who I was with and had invited. Phil said to wait a minute and I knew my message was being discussed mainly by Cavanaugh and the chief justice. up on a roll-away in the room with the chief justice and they were still talking baseball at 4 AM. JoJo was an immediate hit with the chief justice and so was I for bringing him.

This was the beginning of 12 consecutive years of attending the World Series wherever it was played.

There was a time in New York when we had ticket problems at Ebbetts Field. We had too many tickets and in getting rid of the surplus we disposed of the wrong ones. Wilkins made contact with Walter O'Malley, president of the Dodgers, explaining the chief justice was in our party. O'Malley invited the chief justice to sit with him in his private box. The chief justice told Phil to thank Mr. O'Malley but that he would not be available unless there were four seats. It ended up that there could be two. The governor said no thanks.

The discussions that took place in the hotel rooms would be worth a million dollars. Argue, argue, argue over sports, who did this and that and when. Earl Warren's mind was so good as to memory that it was weird. He never was wrong when he made a statement regarding sports records, names and places. He knew what he was talking about all the time. Political issues, names or events were never discussed. Supreme Court cases pending or otherwise were never mentioned.

Earl Warren worked in bed to the small hours of the morning on many an occasion long after we had gone to sleep. Yet he would rise early the next morning fresher than we were. His staying powers were unbelievable.

The funeral procession stopped within 50 yards of the Kennedy memorial in Arlington. Eight US Army soldiers removed the casket from the hearse and gently, ever so gently, placed it upon the caisson. From there the procession moved very slowly about a mile to the grave site. Again the soldiers in precision movement removed the casket from the caisson and took it slowly toward the grave.

A single bugler sounded taps amidst a silence that I had not experienced before. Tears flooded my eyes, for I could hold them back no longer and I did not particularly want to. I was alone with my thoughts as were others as we reflected upon the years that we had spent with the chief justice. It is over now as in an era of my life. It is a privilege and an honor to have known him.

Cavanaugh: Warren Was Never Waivering Friend

By Bartley W. Cavanaugh

Twenty years ago, three friends left Sacramento to fly to Cleveland to meet the fourth member of the group to attend the World Series. The fourth member was coming from Washington where he had a few months before been sworn in as chief justice of the United States.

The three-day get-together was so successful and enjoyable that it was agreed to repeat for the next World Series. This arrangement continued without interruption for the next 12 years in such places as New York, Brooklyn, Chicago, Milwaukee and Cincinnati.

Lasta week, 20 years later, the same three fellows left for Washington, Dc, to meet their fourth member, but under entirely different circumstances—it was to attend his funeral and it was a very, very sad trip.

We arrived in Washington after the Supreme Court Building had closed for the evening, where the chief justice lay in state. At 9 AM the next day, the court building was open and the three friends paid their respects and said their prayers. At 1 PM we attended the services in the Washington Cathedral and due to the gracious Mrs. Nina Warren sat with the family.

The services were extremely impressive with Washington's highest dignitaries in attendance: the President and Mrs. Nixon, Speak of the House Albert, all the members of the Supreme Court and many Cabinet members and members of Congress, former US Sen. Thomas Kuchel, Rep. "Biz" Johnson from Roseville, who had served in the State Senate when Chief Justice Warren was governor of California, Houston Flournoy, state controller of California, his hunting companions Wally Lynn, Tom Mellon and Doug Lynn, and his long-time Sacramento attorney-friend, Archie Mull.

The services were conducted by a Protestant bishop, a Jewish rabbi and a Catholic archbishop. The rabbi's remarks were most fitting as he described this great man, particularly his integrity, honesty, simplicity and fairness.

The services at Arlington were in keeping with the personality of this fine American. His great family, children, grandchildren, conducted themselves as you would expect — with dignity and personal warmth. Enough cannot be said about the gracious and lovely Mrs. Nina Warren, who was such an influence in the life of this outstanding American public servant.

It was a sad, sad day, but the three from Sacramento — Federal Judge Philip Wilkins, Jack McDermott and myself — will never forget. We are thankful that we were able to pay our final respects to a great and never waivering friend.

Comments

Comments by John McDermott and Bartley W. Cavanaugh on the years they knew Chief Justice Earl Warren were written at the request of The Bee. McDermott is a Sacramento tile contractor and sportsman. Cavanaugh is retired city manager of Sacramento.

INDEX -- Bartley Cavanaugh

agriculture industry, 12-13, 37
Anderson, Leo, 17
Armstrong, Bishop, 34

Babcock, Otis, 19
Breed, Arthur, Jr., 37
Brennan, Bernie, 21
Brownell, Herbert, 34-35
Buckley, Chris, 65

California Western States Life Insurance Company, 4
Carpenter, Bud, 38
Carr family, 68-69
Carter, Oliver, 40
cases, Supreme Court
 Brown v. Board of Education, 57-58
Catholics, and Warren, 31-35
Cavanaugh, Bartley
 as city manager, Sacramento, 3-4, 19, 37-39, 45-49, 54
 family, 2-5, 11-15, 30
 on political ethics, 28-29, 54
 political work, 1-2, 15-17, 20-27, 51-52
 friendship with Warren, 1, passim
 Warren's Supreme Court appointment, 32-35
Cavanaugh, Bartley, Sr., 12-14, 64-65, 68
corruption, 28
 Samish investigation, 19-20
Crime Commission, 51-53
cross-filing, 24, 42
Crum, Bartley, 17

Daly, John, 29-30, 63
Dean, Jim, 43
Democratic party, 24
 and Warren, 60
Dempsey, Jack, 50
Deuel, Charles, 46
DiMaggio, Joe, 5-6

Eisenhower, Dwight
 elections, 1952, 21-22, 27
election campaigns, 1952 presidential, 20-27

Fair Play Resolution, 24
FBI, 48, 53
finances, local government, 39

gambling, 49-50
Gibson, Phil, 26
Graham, Bill, 50
grand jury, Sacramento, 19-20
Graves, Dick, 37-38
Graves, Neil, 37

Haggerty, Cornelius J., 36
Halleck, Charles, 16
Hatfield, George, 37, 39-40, 46-47, 52
Health, Department of, 3
health insurance, 3-4
Herron, ____, 65
Hood, Dick, 53
Hornblower, William, 20
Howser, Fred, 50-53
Hulse, Ben, 39-40

interest groups, 42
 agriculture, 37
 Catholics, 31-35
 labor, 36-37
 local government, 37-39

Jahnsen, Oscar, 49
Johnson, Harold T., 59-60
Johnson, Hiram, 15, 64
Johnson, Lyndon B., 56

Kelly, Mike, 64-65
Kennedy, John F., 29, 56, 67
Kenny, Robert,
 as state senator, 41
Knowland, Joe, 64
Knowland, William, 16-17, 23
Kuchel, Thomas, 16-17, 23, 28-29, 44

labor, 36-37
law enforcement, 46-53
legislation
 crime commission, 51-53
 labor, 36-37
 redevelopment act, 37-38
legislature, California, 36-46
 corruption investigations of, 19-20
 and interest groups, 36-38
 liberal bloc, 24, 42
 members, 18-20, 24, 40-41
 nonpartisanship, 24
 reapportionment, 41
Lemmon, Dal, 44
Lemmon, Mary Alice, 44
Los Angeles County, legislators, 41
Lynn, Wally, 8

Masons, 52
McCall, John B., 18
McCarren, Pat, 50
McClatchy, C.K., 64
McDermott, Jack, 8, 30
McGee, Dick, 43
McIntyre, John Cardinal, 33
Mellon, Tom, 43-44
Merriam, Governor, 20

Nelson, DeWitt, 43
Nixon, Richard M.
 elections, 1952, 21, 23
 and Warren, 23, 58
nonpartisan politics, 24, 42

Olney, Warren, III, 50-52
Olson, Culbert
 as state senator, 41
one-man, one-vote, 41

Patterson, Pat, 60
Peeper, Nat, 53
philanthropy, fund raising, 30
police department, Sacramento, 47-48, 53-54
poliomyelitis, 3-4
Powers, Harold J. (Butch), 18-19, 22

reapportionment, 41
redevelopment act, 37
Republican party, 16, 24
 conventions, 1952 national, 20-27
Rich, Senator, 52
Rolph, Governor, 42

Sacramento, 3-4, 13-15, 19, 38-42, 47-49
Sacramento Bee, 47, 64
Samish, Arthur, 17-20, 46
Samish, Mercedes Sullivan (Mrs. Arthur), 18
San Francisco, politics of, 65
Seawell, Jerrold L., 18
Shell, Joe, 45
Sherry, Arthur, 52
Southern Pacific Railroad, 64-65, 68
Storke, Tom, 61
Sweigert, Bill, 52
Swig, Ben, 31-32
 University of Santa Clara, 31-32

Taft, Robert A., 21, 26-27
tax, subventions, 39
Tenney, Jack, 41

Vandeleur, Ed, 36

Warren, Earl
 elections, 59-60
 1952, 20-25
 as governor
 and legislature, 3-4, 45, 51-52
 staff and administration, 43-44, 52
 appointment to Supreme Court, 32-35
 on Supreme Court
 cases and decisions, 57-58
 Kennedy assassination commission, 8-9
 friendship with Cavanaugh, 1, passim
 at leisure, 59-62, 65-68
 sports, 1-2, 5-9, 30, 32, 61
 philosophy, political and ethical, 28-29, 54, 59
 and Democrats, 60
 and L.B. Johnson, 56
 and Kennedy, 56, 58
 and Nixon, 23, 58
Warren family, 2, 4-5, 21, 28, 30, 55, 63-64, 66-67
Werdel, Tom, 45
Werder, Bill, 26
Willkie, Wendell, 15-17
Wilkins, Phil, 8, 22, 25-26, 30, 61
Younger, Mrs. Evelle, 25

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Wallace Lynn

HUNTING AND BASEBALL COMPANION

An Interview Conducted by
Amelia R. Fry

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SAN FRANCISCO CHRONICLE

May 25, 1990

Wallace Lynn

A well-known business and ranching figure, Wallace Lynn, died Tuesday at age 92. A longtime San Francisco resident, Mr. Lynn was a close friend of Earl Warren, the onetime California governor and chief justice of the United States.

Mr. Lynn was born in Belvedere, Texas, and grew up in Dallas. He attended the University of Texas at Austin and moved to San Francisco in 1921. He built up ranching and farming interests in Northern California, including a residence in Colusa where he often entertained friends and colleagues.

In 1970, Mr. Lynn was named to the San Francisco Public Utilities Commission and the Airports Commission by Mayor Joseph L. Alioto.

Mr. Lynn also served on state and international commissions and on the boards of St Mary's Hospital and the San Francisco Boys' Club. He was a member of Rotary, the Olympic Club, the Family, and a number of fraternal lodges.

He is survived by his wife, Jean, his son, Douglas, and two grandsons. No services will be held, but donations are recommended to the St. Mary's Hospital Building Fund or other charities.



Wallace Lynn with Chief Justice Earl Warren
Circa year of interview

TABLE OF CONTENTS -- Wallace Lynn

	INTERVIEW HISTORY	i
I	FROM TEXAS BOYHOOD TO CALIFORNIA CIVIC LEADERSHIP	1
II	EARL WARREN AND NATIONAL EVENTS	8
	Health Insurance Politics	8
	1952 Republican Convention	15
	Supreme Court Appointment	18
III	LYNN AND WARREN FRIENDSHIP	22
	Early Acquaintance	22
	Fishing in Idaho	25
	Catching Marlin in Mexico	27
	A Helping Hand in Politics	29
	Hunting Parties	31
	Conversations	35
IV	RICE GROWING IN THE SACRAMENTO VALLEY	39
	Lynn Family Ranch	39
	Water Resources Issues	40
	Duck Season	44
	Pat Brown's Visits	45
	Interchanging Clothes	47

V OBSERVATIONS ON WARREN, THE MAN 50

Sense of Humor 50

Warren Burger and Richard Nixon 52

Post-Governor Considerations 58

Love of California Outdoors 58

National Republican Campaigns 60

Political Acumen and Integrity 62

Security at Social Events 63

Right Wing Opposition 66

Retirement Activities 68

Protocol 69

VI OTHER FRIENDS OF WARREN'S 72

Ben Swig, Hotelman 72

Dr. Harry Gallagher, Nevada Fisherman 73

VII WARREN AND BASEBALL 76

The Lynn System of Accounting 76

Salami and the FBI 77

Warren Caught Red-robed 79

The Scalper 81

Warren on the Mound 84

VIII DECISIONS OF THE WARREN COURT 85

IX FAMILY 88

To Church with Queen Elizabeth 88

Warren's Sons 90

Nina Warren 92

X WARREN AND THE PRESIDENTS 95

John Kennedy 95

Dwight D. Eisenhower 98

Richard M. Nixon 100

APPENDIX A -"Alden Whitman's Golden Oldies," Esquire, April 1975 104

INDEX 109

INTERVIEW HISTORY

Dates of Interview Sessions:	Session I, February 24, 1972; Session II, March 6, 1972; Session III (taping inserts), September 23, 1975.
Place:	Session I, the San Francisco Golf Club; Session II, his home in San Francisco; Session III (taping inserts), his office in South San Francisco.
Those Present:	Mr. Lynn and interviewer; his secretary for Session III.
Dates of Review:	Corrected transcript and additional questions sent to Mr. Lynn June 28, 1973. Inserts (taped September 23, 1975) and final editing reviewed with Mr. Lynn June 23, 1976.

The Interview:

The forty-plus years of friendship between Wallace Lynn and Earl Warren grew and flourished in their mutual affinity for baseball, football, and hunting. Essentially apolitical, the longevity of their comraderie was noted by all those close to the governor, and many were the recommendations to the Regional Oral History Office, even urgent admonitions, that "Wally" be interviewed. Born June 30, 1897, the Texan's move west to California in the dawn days of his manhood, his achievements in business and in rice-growing, and his significant labors on citizen commissions make a significant slice of California history quite aside from his association with Earl Warren.

We worked in three places to produce the tapes: his beautiful home on Junipero Serra Boulvard in San Francisco, the San Francisco Golf Club (his alternate habitat), and his office. The first session was at the golf club on a day of drenching rain that obscured roads, signs, and the club itself. In spite of the interviewer's tardy arrival, which had led Mr. Lynn to agree to some informal socializing with a clutch of generals, he greeted the dripping interrogator with gracious aplomb, dispatched the generals to wait for him at the bar with complimentary drinks, and set about arranging comfortable chairs and a table in what we would call in Texas the Screened-in Porch, which is usually glassed in. An hour was planned, but, waiting generals notwithstanding, the taping continued for nearly two hours and another session agreed to.

Perhaps it was the environment of the second session that told more about Lynn's easy grace in living. A recent widower of two years, Lynn still lived

in the beautiful house. Three exquisite Japanese dolls in a case presided over our recording efforts. The lacquered oriental screen illuminated the fireplace. All created a warmth and interest that made one wish that one could have known the late Mrs. Lynn (Elizabeth June Pearce). In the book shelves there was an eight-foot set of Harvard Classics, with other books that ranged from Milton's Complete Poems to John Gunther's Inside Africa. One of the pictures on the wall behind us was of his son, when a boy, in a hunting pose with his dog. On a heavy Persian rug, a card table was laden with papers and work to be done, and his own black leather recliner chair added a note of comfort.

Two sessions of taping in 1972 gathered in a story satisfactory enough. Then Warren died in 1974, and over a year later Lynn reviewed the transcript. By that time more anecdotes had surfaced--triggered, it seemed, by the conversations among the Chief Justice's close companions in the aftermath of their shared loss. The new urgency to preserve more led to a session in Lynn's office in the Sales Mart Building in San Francisco where, with adroit prompting by Elsie Gilpen, his secretary, we went through the manuscript chapter by chapter and taped inserts, which are noted as such in the manuscript.

It is not an easy task to distill a long friendship into concrete verbal images. But Lynn's willingness to try produced the scenarios: alive, long nourished by repeated teasing whenever he and the Chief Justice were together; others dormant in his memory and extracted with effort, stimulated by talks with friends and by the oral history task. Collected into a manuscript, the pictures of Warren at the same time portray Lynn himself: Wally the conservative Texan-individualist, whose unselfconscious sense of justice was quick to exert itself on behalf of his friend, whether the issue was state health insurance or a scalped ticket; Mr. Lynn, whose easy joviality must have been refreshing at affairs of state he attended with Warren and various species of royalty, where he used Washington protocol as a toy to be played with skillfully or ignored--either technique could convert a dull occasion into an affair to be remembered.

Most of all, he was Wally the benevolent who cared deeply for Warren and his family, a trait shown both before and after Warren's death. During his life, it was a take-the-coat-off-my-back friendship--literally: he and Warren wore the same size and lent each other clothes in a pinch. After the Chief Justice died, Lynn undertook the job of finding the proper depository for the Warreniana left at his ranch house--everything from clothing to the magnificent shotgun that the associate justices of the Supreme Court had presented to Warren. By telephone he also stayed in touch with Warren's widow, Nina, in Washington; and Warren's sons continued to bring their families to the ranch for weekends, at Lynn's urging.

In addition to Lynn's efforts to set down a vivid and accurate picture of his friend, the other distinguishing feature of the interview was his telephone. As the interview shows, at one point when he was dealing with the

interviewer's quest for more stories, he suddenly picked up the phone and called the Chief Justice himself in Washington for help. This was, for the interviewer, the sort of jaw-dropping experience that Lynn relished, so it should not have come as a surprise when, in the session to tape inserts, he repeated the action, but to Mrs. Warren this time, urging her to tape her memoirs for the project during the coming Christmas season. (She later declined.) Yet another impromptu call was made--this one to his FBI friend, Joe Wuslich, to check out some details regarding hunting parties.

By necessity, only light treatment could be accorded Lynn's activities on the San Francisco Public Utilities Commission, the Airport Commission, the development of his warehouse distributorships of automotive supplies, and his ranch. Not touched at all were accounts of his first wife, Elizabeth June Pearce, and his remarriage in 1972 to Jean Helen Barter. Nor do we have his genealogy, in which his brother Ted has discovered that U.S. Marshall Samuel Gray in Dodge City, Kansas, was their great-grandfather. Perhaps another project, another time, can put these on the record in more detail.

Amelia R. Fry
Project Director
Earl Warren Oral History Project

12 January 1977
Regional Oral History Office
486 The Bancroft Library
University of California at Berkeley

I FROM TEXAS BOYHOOD TO CALIFORNIA CIVIC LEADERSHIP

Fry: Are you a Texas boy, did you grow up there?

Lynn: Yes. I was actually born in Belvedere, Illinois. My mother and father lived in Dallas, my mother happened to be up there in Belvedere, and I never have found out why--on a visit, I guess--I was born in Illinois. But I was raised and grew up from a baby in Dallas, Texas. So I'm not really a Texan, although I've lived all my life there until I came out here.

Fry: When did you come out here?

Lynn: 1921.

Fry: That was how long after you graduated from college?

Lynn: I didn't finish. I graduated from high school in 1916, went into the University of Texas 1917, went into the Army in April of 1917, got out in 1919, went back to school for a couple of years, decided that I would try and get a degree in pre-med, went to Baylor University for a short time, then came back, gave up the whole idea and went to work for an outfit a friend of my father had that made branding tools and paste and stuff up in Norwalk, Connecticut--abrasive papers and cloths, abrasives of all kinds, stones and valve grinding compounds. I went to work for them.

It was during that period, I think it was '21 or '22, that he asked me to make a trip out here to California. So that's when I first came out, then I went back. I came back here, I guess it was late in '22 or '23, because of what I saw of California on that first trip. I really loved it, I liked San Francisco, so I decided that I was going to come back. I had accumulated enough money to buy an old model T Ford. I drove it across country--a model T Ford. Oh, if you don't think <u>that</u> was

Lynn: something! To drive from Norwalk, Connecticut to San Francisco.

Fry: How many times did you change tires?

Lynn: [Laughter] We had those old clincher beads on there. I don't know how many times I changed them--wooden wheels?

Fry: With the wooden spokes?

Lynn: Sure.

I was a representative for the Bimel Spoke and Wheel Company, who were the manufacturers of the wooden wheels that went on the model T Fords. I got that as a line to sell out here, a replacement line. I had the abrasive line and the Bimel line, and I don't know what else. I was the wheel salesman, I was the wheel. [Laughter]

Fry: After a trip like that I guess you had a lot of personal testimony: the tires might not have stood up, but the wheels did.

Lynn: It was a great business. Bimel Spoke and Wheel made wheels for the wagons. In those days Studebaker was a big manufacturer of wagons. Farmers used wagons; they didn't have any tractors. I sold spokes. They had replacement spokes. If you busted a spoke you didn't have to buy a new wheel, you could always take it apart and put in a new spoke. I sold spokes and wheels all over California for awhile.

Fry: Where were your offices? In San Francisco?

Lynn: I didn't have an office, I didn't have money enough to get an office. I just had a room in the basement of the Belleview Hotel. I stayed at the Belleview Hotel and I had a deal with them. I paid thirty dollars a month for a room at the Belleview Hotel and when I was gone they could rent it and then I didn't have to pay. They gave me a room free in the basement where I could keep a filing cabinet and an extra suitcase to file my extra stuff in.

Fry: I'll bet that's a better deal than you have here in the Mart right now.

Lynn: We have a pretty good deal here, but not quite that good.

[Interruption]

Lynn: Spokes were a replacement item. Most of the cars had wooden wheels. I made the contact with the car dealers and car distributors and we'd pool a car, make up a carload of wheels, and ship them out here. I gradually took on other lines. We got a line of sparkplugs and we got other replacement parts. I gradually got into the replacement. As automobiles commenced to <u>really</u> go I took on a number of lines and it grew into a very sizeable organization. We had offices in Seattle, Portland, Salt Lake, Denver, and Los Angeles.

Fry: You were a real example of Horace Greeley's "Go west, young man."

Lynn: That's right. It just grew like that. At one time we had about forty salesmen and we did a business. The biggest year we had, I think, was probably around twenty million dollars in volume, up to the time of my retirement. When I retired, I sold the business to the employees and it still operates.

Fry: When did you do that?

Lynn: I retired in 1967.

Fry: It's interesting that you sold it to the employees; that's not too often done.

Lynn: I had taken in a partner, and the firm name was changed from Wallace R. Lynn Company to Lynn and Brooks. I sold it to Mr. Ken Brooks primarily and then allocated a certain amount to each of the key men in the various offices--Seattle, Portland, Los Angeles, Salt Lake. That's the way it still is. I didn't take any money for it; I got a percentage for a period of five years, a percentage of the net.

Fry: That's the way employees could buy it.

Lynn: Sure. They couldn't <u>pay</u> for it.

Fry: Are they on the board?

Lynn: They own it now. I don't know how they're running it. This was in '67; in '72 I was all paid off. I don't know what they're doing now. Some of them have retired, I guess, by this time. But it paid off pretty well.

Fry: And all during this time you never gave up your interest in baseball?

Lynn: No. What I did, I was always interested in ranches, and I had bought and sold a lot of them. In 1931, following the real crash, and in the terrible depression that followed, I bought a lot of ranch property from various insurance companies and banks. I bought maybe twenty-five ranches on foreclosures. I heard about this from a banker friend of mine, a little bank up in Colusa, as a matter of fact. I was in there one day and he said that the bank examiners were coming in to take a look at his books and he had a lot of loans that were really bad. The examiners were going to give him a work out and he was ready to get rid of the ranches.

I said, "What do you mean?"

He said, "Well, we've had to foreclose on a lot of properties, and we got a lot of property here we've foreclosed on and we've got to get rid of it. I'd sure like to get rid of about a half a dozen of these smaller pieces and get the money in here so that we wouldn't have them on the books when the examiners show up."

So I took a look at them and I bought them all. But I bought them at exactly what the bank had in them, and of course they were very conservative and I bought them at a very low price. They got their cash out and I took over these properties on these foreclosures.

That started me and then I got ahold of a couple of insurance companies in Los Angeles. We still have three pretty good-sized buildings in L.A. that we bought from insurance companies back at that time.

Fry: What insurance companies did you buy those from?

Lynn: Gee, I don't know. Prudential I think had one. We got it through their local--they'd make loans and--

Fry: Was one of them Pacific Mutual? Asa Call?

Lynn: Could be. I don't remember who we bought them from. After they had foreclosed and they needed the money and--my partner down there, a fellow by the name of Gay Crum, engineered most of the L.A. purchases. I don't know just what companies they were, but they were local companies that had made local loans.

Fry: Tell me how you managed to weather the depression in your business. Obviously you had enough cash to buy these things.

Lynn: I don't know. We didn't have any problem during the Depression at all.

Fry: At that time, how much had your line expanded?

Lynn: We were still growing pretty rapidly, but automobiles and the automobile business was growing rapidly. During a period of depression, we dealt largely in replacement parts. While the new car business really suffered, people were buying a lot of parts to keep the old ones going. Our business was real good during the Depression. And our business has been good, the automotive parts business has been excellent, during this current recession. New car sales have fallen off, but people have been buying parts, a little at a time, to keep the old ones running, and the net result has been that the automotive replacement parts business has been real good.

Fry: I guess that's a very good business to have as a buffer against recession.

Lynn: It's been pretty good, a good business. I've been out of it now, of course, for eight years. One of the boys called me the other day and I asked him how it was going, and he said business was real good.

Fry: When did you start your career as a member of the various and sundry commissions? The ones I know about are the Public Utilities Commission in San Francisco, and the Airport Commission that grew out of that.

Lynn: The PUC, that's all. That was in 1964, I guess, or 1966. I don't remember; it's been about eight years ago.

Fry: I see. They felt you needed something to stay busy?

Lynn: No, the Mayor--I bought some rice farms, rice land, from these banks and insurance companies. I got this land up in the Sacramento valley, which I still have. At that time I joined the California Rice Growers' Association, and [Mayor] Joe Alioto was our attorney. I had quite a bit of contact with him and when he was elected mayor, he wanted to put some new faces on some of these commissions. He called me and asked me if I would go on the Public Utilities Commission. I told him that I didn't know anything about that type of thing, but he said that was good because he wanted to get somebody on there that would take a new

Lynn: look at it. So I told him, sure, I'd go on the commission, and that's how it started. It was that simple.

Fry: Did you do much about the airport while you were on the PUC?

Lynn: Yes. We ran it. The airport was part of the Public Utilities Commission.

Fry: Were there particular commission members who especially looked after the airport business, or was it a total commission involvement?

Lynn: It's a five man commission and we were all equally interested. I took more interest in the garage operation because I had heard about this pilferage at the gate. I think I probably put more time in on the airport garage operation than anyone--in fact, I know I did, there, for quite awhile. But everybody was equally interested in the operation of the airport, generally. We had a good commission. They all cooperated to work it.

Fry: The thing I would like to just get an idea of on tape, and make a record of, is your bringing in these other two men, John Sutro and Mr. Coblentz.

Lynn: I didn't really--the appointments to the airport commission are made by the Mayor. There were a number of names that were suggested. The Mayor asked Bill McDonald and myself to leave the Public Utilities Commission to form the nucleus of a new airport commission, the first San Francisco Airport Commission. Bill McDonald, who was president of the PUC agreed, and so did I. So, we left and then he became president and I became vice-president of the airport commission. There were a number of names suggested for the three additional members and two of those names were Bill Coblentz and Jack Sutro.

Bill and I were just delighted to see those names because it gave us two of the most prestigious attorneys in the United States on our commission. Every commission is just one complete series of legal problems, and here we had access to two of the biggest legal minds in the business, at no cost, either to us or to the city. It was a real delight to have them. Sutro and Coblenz made a team that was just beautiful.

Fry: You had been close friends with Coblentz for quite awhile. Were you also of Mr. Sutro?

Lynn: Yes, sure. Sutro belongs to the Family Club. His uncle, Ed Coblentz, was the editor of the San Francisco Examiner. Dr. Coblentz, his other uncle, (Zachariah, I think "Zack" Coblentz) was a very prominent doctor, an internist here, and he was a member of the Family also. Bill Coblentz is now a member of the Family, so I know him real well. They're great guys.

Fry: We may not have time to record the story about all of the investigation that was necessary to get at the pilfering of the parking fees paid in the airport garage, but could you give me the figures again on the loss?

Lynn: Gee. There was no way of determining accurately. Nobody ever knows how much anybody steals because you're never quite sure; but we estimated that it was between $40 and $50 thousand a month that was being stolen at the gate. Subsequent figures pretty much proved that because after we had arrested some thirteen, I think, of the people and put in a complete change in accounting and a complete change in personnel, our proceeds just went up that much, about a half a million dollars a year.

Fry: Is this a major factor now in the fact that the airport doesn't go in the red?

Lynn: It's a very important factor, of course.

Fry: Is that enough?

Lynn: No, that wouldn't be it. The airport is a very big business. The airlines and the City of San Francisco have an investment out there, currently, of well in excess of $500 million. There are between 36 and 37 thousand employees, with the airlines and the airport combined. That maintenance base is tremendous, and all airports operate on a twenty-four hour basis. There are no single-shift days. Three shifts. It's a big operation, tremendous. We're the largest single taxpayer in San Mateo County--which is not very good, either, because we don't get our money's worth from San Mateo County, but there's nothing we can do about that at the moment.

Fry: I hope sometime that we can work in more on the PUC and the whole airport history and things like that. Right now we'll have to confine this to you and Earl Warren and have a kind of a partial interview. With your papers that will be, eventually I guess, in The Bancroft Library, and copies of your letters from Earl Warren, this will make a pretty good record.

II EARL WARREN AND NATIONAL EVENTS
(Date of Interview: February 24, 1972)

Health Insurance Politics

Fry: Did you ever help Earl Warren politically?

Lynn: I tried to work with the doctors at the time Warren got involved in a problem with the CMA and American Medical Association.* John Cline was the president of the AMA at that time, and I knew that Warren, during his years as district attorney and as attorney general, had personally contacted and had frequent calls from people who had suffered catastrophic losses (and I've forgotten the names of the people). I know that he mentioned several cases of doctor bills, anywhere from ten to twenty-five thousand dollars, including long-term hospitalization, which had literally wrecked families.

So, he became completely and thoroughly sold on some form of catastrophic help plan that would keep a hard-working man from losing everything he ever had and preventing him from going into debt to the point that he would never come out. That was his whole thought.

The details are infinite; you'll have to get them from somebody else.

Fry: I had mailed you a sheet of the details of the California state-administered plan, which, I guess, didn't reach you. It'll be at your office today.

*1951-52, when the AMA was opposing President Truman's national health insurance bill.

Lynn: Well, the problem that they had at the time was this great shroud of mystery that the medical association members have always thrown over the medical profession. Everything is sacrosanct; they even considered that they were beyond the law. Some of them, you know, thought no one had the right to even suggest changes of any kind. They were highly educated men, of course, and had spent many years in getting their education and their practices established and some of them just developed an intolerant attitude toward anybody else who wanted to say or do anything about medical care reforms or changes. They felt that this was an attempt on Warren's part to establish so-called socialized medicine, such as they had tried in England and which had been a miserable failure, apparently. So they (the doctors) were very angry and I had a great many rather bitter personal discussions with some of them. I went to Earl Warren. This was an interesting thing. When he was governor at the time, all of this big propaganda was being fostered against him by the CMA.

You know, later the AMA assessed every doctor in the United States and they tried to collect from every R.N. [Registered Nurse], and they got together a tremendous slush fund. They hired these publicity people and conducted an extensive campaign. But it was a very stupid thing for them to do because the AMA gave it so much publicity with their own money in an effort to defeat it that the public decided that this new health plan was a good idea. So, it had a boomerang effect and eventually the doctors themselves put across the idea!

They had hired Whitaker and Baxter, who embarked on a full-page ad campaign against the health insurance bill. I was told they spent several hundred thousand dollars. The net result was that a great many people who had never even dreamed of having protection of this kind became aware of it, and that gradually built up to the point of having what we have today in the way of catastrophic policies, combined Medicare, MediCal, Social Security. A lot of those things grew out of the great vision that Warren had and the courage that he had to insist on something being done about it in California.

Fry: What did you do with Dr. Cline? Did you go to talk with him?

Lynn: Oh yes, yes. I talked to him on several occasions. Dr. Cline was considered a top surgeon, highly regarded in medical circles, but I am not qualified to comment on his ability. He was president of AMA.

Fry: And I think he was CMA president earlier, in 1947-48.

Lynn: He's a member of a number of societies and internationally known as a top flight surgeon. He was very angry with me and very opposed to anything Warren proposed. Very angry. Angry to the point where we had several very bitter discussions that we knew that neither one of us could win.

I felt that Warren's theory was absolutely right, and Warren had put it to the doctors on the basis that if they did not like his plan they then should come up with a plan of their own. Some plan had to be devised, and he put it right in their laps. And he waited and he waited and he waited. And they didn't come up with it. Finally, he just notified them, "If you don't do it, we'll do it ourselves. We'll pass a law. We'll do something."

That of course triggered this great animosity and this great thing they tried to hang on him of being a Communist, a pink, a liberal, or whatever they wanted to call him at the time. And to those of us--a great many of the people that know the man, know what he stood for and knew that he had real vision, real courage, and real compassion, which were the three major elements in his thinking. We were all for him. That was about the size of it.

Politically, I'm a Republican and have always considered myself a conservative Republican. But I still think that as the Chief Justice always says, "No matter how thin you slice it, there's always two sides to it." You ought to listen to the other side, you might get an idea. So that's as far as I went in any of the campaigns, really.

Fry: Was your work with Cline and others during Earl Warren's re-election campaigns or was it in conjuction with the legislation?

Lynn: All through both re-election campaigns and in the presidential campaign activities. But my actual activity was of a very minor nature. I worked as hard as I could as an individual in the Rotary Club, of which I'm a member here. I spoke to Rotaries in a couple of cities on the subject and tried to answer questions, build up a little file of correspondence with people who asked questions. And I did arrange a dinner one time.

I thought that it would help if I could get a lot of the real tough ones, the real hard-nosed guys, like Cline, and others who were in his immediate coterie of doctors to come up to some private

Lynn: place--lock the front door, put guards on them, nobody comes in, no reporters, no publicity--and have Earl Warren there and let him answer the questions. But they wouldn't listen to him.

Fry: Did he come?

Lynn: Oh, he did. I arranged the dinner at my ranch--I have some rice farms up in the Sacramento valley, and I invited Cline and oh--I have a list of them, and a number of others. About ten of them showed up.

[Insert]

Fry: Was Dr. Bruck at your ranch?

Lynn: No, Dr. Bruck was never at the ranch. Dr. Bruck was one of the leading medical men in San Francisco at that time, and one of the major opponents to the Earl Warren suggestion, and also one of the committee of negotiators that called on Warren in an effort to get him to change his mind. The details of the conversation and the negotiations with the Governor, Earl Warren at that time, you'll have to get somewhere else, but I have been told that both Dr. Bruck and Dr. Cline, and the others involved felt that Earl Warren had not been cooperative and hadn't worked with them the way they wanted him to work. The actual facts are that Warren had simply refused to be dictated to by this group of doctors.

Fry: These men were all with you in the Family Club. Bruck was too, is that right?

Lynn: Yes. Dr. Bruck was a member of the Family, and Dr. Cline was a member of the Family, and Dr. Hindon is a member of the Family. I don't remember any others that were in there at the time, but there may have been others.

[End of Insert]

They were all men that were, in the beginning, really opposed to him. They really thought this thing was cockeyed and was socialist and Red.

So, I went to Sacramento and I went into his office one day and I said, "Earl, what is this big beef? I mean, why can't you work something out with these guys?"

Lynn: And he said, "Well, I don't know. I can't get this message over to the doctors. But they just don't want anybody interfering with their business." And he made one statement at that time that I've always remembered. He said, "You know, I'm a professional man. I'm a lawyer, that's my profession. And I wouldn't do anything to any other profession that I wouldn't do to my own." He said, "I have great respect for the medical profession and I'm great friends with some of the doctors."

But, you see, this man has--and he still has--visions way beyond the possibilities of these fellows to understand. Now, these are brilliant men, too, brilliant in their own fields. But in the field of human relations and the social contacts and relations throughout the world, they just didn't have it.

I didn't have it, myself. I had told Earl Warren, in fact, "Everybody says that this socialized medicine deal that you're proposing is a failure. It failed in England and it failed everyplace it's ever been tried." And he got sore and of course we got into some great arguments.

But he said, "This is not socialized medicine. Get that out of your head. Let's get down to brass tacks. Here's a man working for five hundred dollars a month (in those days, that was a pretty good salary) and he's got a wife and two kids, and what if the child has a broken back, or is paralyzed, which requires constant care, long term hospitalization, or loses a leg, or the wife gets cancer, any one of a million catastrophies, what's he going to do? Who's going to finance it? These doctors are going to send their bills. He's not on charity. He's not eligible for it. I just want the doctors to come up with a plan that will protect him."

Fry: The doctors fought Blue Cross and Blue Shield very hard at first, too.

Lynn: Sure. And then they organized the California Physician's Service.

The doctors today, a great many of them, the older men who have retired, like Cline who is retired and others, they still hate his guts, you know.

Fry: When they went to your ranch did Earl Warren come there to talk to them?

Lynn: Yes, sure.

Fry: And how did that go?

Lynn: Great, great. He made a convert out of everyone that attended. Sure.

Fry: Did Warren convert even Dr. Cline, at your ranch?

Lynn: Cline didn't show. He wouldn't. His language was pretty bad. He wouldn't go near Warren under any circumstances. He wouldn't talk to him. He claimed, along with a couple of others, that Warren had lied to them, had misrepresented. Nothing could be further from the truth. He never lied to anybody. And they were just bullnecked about it and they were going to have it their own way or else, and there wasn't any two-bit governor from Bakersfield that was going to tell them a damned thing about how to run the medical business. And they told him just that. They said, "Get your nose out of our business. Go ahead and run the politics. We'll take care of medicine." That was their attitude. They wouldn't listen.

But Warren's sole interest was in their customers, because it's not stretching the imagination to imagine that a public servant can take an interest in the health of the people that elected him, to see that health and food--it's just like the grocery people getting together and saying, "Well, you're not going to have a Pure Food and Drug Act--we'll take care of the food business. You get the hell out of here."

So he covered that whole spread, and health was one of them.

Fry: Was this approximately connected with a re-election campaign, this dinner at your ranch, or was it connected to a piece of legislation?

Lynn: No, it was remotely connected with the election campaign because at that time--

Fry: I wonder if it was '46 or '50?

Lynn: It was later than that. It was the time that Taft and Eisenhower were the two leading candidates.

Fry: Oh, during the presidential campaign of '52?

Lynn: Right. This was in '51 or '52. And at that time, you see, the

Lynn: California delegation was a favorite son delegation, pledged to Warren. The only chance he had, and he knew it, we all knew it, was if there was a deadlock in the convention and they'd swing to their favorite son on the basis of the prominence that he had from being from California. And with that bevy of good lookin' gals--his daughters and his wife you know. They made a beautiful picture and he got a lot of publicity. He didn't have a prayer going in, but he was the number one dark horse. Beyond a question of a doubt.

It was during that campaign that this activity of the AMA took place. It was at that time that John Cline was president of the AMA.

Fry: I see. During that primary campaign the Werdel forces put a different ticket on the ballot for the Republican convention. Do you remember that?

Lynn: Yes.

Fry: Did they have many doctors supporting them, did you know?

Lynn: Oh yes. They had most of them. This was a big issue. Anything to beat Warren. There was nothing--they were just--well, I say, those dedicated members of AMA who didn't know better. You see, they're just like sheep.

Brilliant men as they are, well educated, capable in their fields--completely naive, completely unsophisticated in financial affairs and political affairs. Doctors are notoriously the worst financial guys in the world. They're all busted most of the time. Most of them now have managers, like a baseball player, who takes care of their business because they make a lot of money but they don't know how to take care of it. And politically, they're just as naive as they are financially. Most of them.

That's changing rapidly. These younger doctors today are just as capable in the medical field but are a heck of a lot more aware of their social obligations. There's a whole new trend. And today, except where they might have inherited some feeling from the father or grandfather, they all have great respect and regard for the Chief Justice.

1952 Republican Convention

Fry: Did you tell me that you knew something about the Great Train Robbery, you might call it [laughter] in 1952? The Warren delegation train to the convention. Nixon boarded it in Denver and reportedly lobbied some delegates on behalf of Eisenhower.

Lynn: Oh yes, I knew about that. You read all about that in the books, I think.

Fry: But what did you hear about it, firsthand? I mean, who talked to you about it at the time?

Lynn: Oh, I don't know. I really don't know. I talked to so many people at the time, I don't know--I never pegged anybody. I was so disturbed about the deal that I could have literally punched Nixon in the nose.

Fry: This was just kind of general knowledge at the time, then?

Lynn: Well, I don't know how general it was. I knew it and a lot of others. Tom Mellon knew it. You know Tom Mellon. Have you interviewed him?

Fry: Yes.

Lynn: Well, Tom knew all about it. Tom at that time, of course, was with the Wesix outfit, that's the firm he was working for. He wasn't in politics himself, at that time, wasn't with the city.

Tom and I talked about it. We knew it. A lot of people knew it. All of the delegates knew it. They were all advised; Nixon worked on each one of them, individually almost, and in caucus or in meetings of one kind or another.

Fry: Why do you think he was so intent on getting delegates for Eisenhower?

Lynn: Because he wanted to be vice-president.

Fry: Do you think that he would have had a chance to be vice-president under Taft?

Lynn: No.

Fry: And he knew that?

Lynn: No. He'd been working for Eisenhower right along. And he couldn't make that switch. After he saw the tempo, he really went all out and joined with the Eisenhower deal. After he saw the mood and had visited a few caucuses. He was very active, he worked hard. He got the word, he saw which way it was going, and he figured that it was going to be a deadlock. And he figured that California could swing it. And he figured that if he could swing California, he'd be in the right position. He wanted the job, but I don't think he had made any promises. I doubt that he did very much, and I wouldn't be able to comment on that. But I know that he was politically motivated. He had Potomac Fever. He just wanted that real bad and he figured that this was the way to do it. He's a horse trader, and that's one job that he got done pretty well.

I'm not very friendly.

[Insert]

Fry: Do you know the beginnings of Warren's animosity toward Nixon?

Lynn: I don't think that animosity is the correct word necessarily. I think that after the incident in Denver and Chicago that Warren completely lost faith and didn't really have any trust in Nixon. Diplomatically, these things are hard to define because Warren was the head of one important part of the government, Nixon was of course the vice-president of the United States, and they still maintained on the surface cordial, but cool, attitudes.

About the only thing I can say is that I know, to my own satisfaction, that Warren didn't trust Nixon and didn't feel that he was really an honest man.

Fry: Dating from before Nixon's presidency, is that right?

Lynn: Yes. Yes. Dating from the time of the 1952 convention, because it was at that convention that Nixon made his deal to disrupt the California delegation. This is all covered in a number of different books written by various authors, but most of them boil right down to the facts. The facts are, as I have heard them, that Nixon made his deal with some of the Eisenhower committees, not necessarily with Eisenhower himself, and if he could swing the delegation to Eisenhower that Nixon would be given either the

Lynn: vice presidency or the supreme court or whatever it was he wanted at that time.

Fry: Do you think there was ever any competition between Nixon and Warren as a major Republican figure in the state of California? Was there ever a time when maybe they both saw the other one as--

Lynn: No, I don't think that ever existed because Warren appointed Nixon, as you know, to the U.S. Senate.

Fry: That was after Nixon had won the senatorial election.

Lynn: Yes. But I don't think there was ever any competition for leadership. Warren was a governor, Nixon was the senator. I think that right up to the time that Nixon became president he recognized that Warren was not only his California state political leader, but I think he recognized him as a leader in the federal government, too.

Fry: It seems to me that different people were backing each man in the political arena.

Lynn: Yes, that's true. It was a different group. The Orange County Republicans and that group in Southern California were very strong, conservative Republicans who were really extreme right wingers; that was the backbone of Nixon's support. He had a lot of close personal friends, still has, down in that area, Anaheim, Whittier, and through that group. They were very loyal to Nixon, and some of them were pretty bitter and very much against Earl Warren because they thought he was too liberal. They recognized him as a Republican, but after he won both the Republican and Democratic nominations in 1946, they weren't too sure. They didn't really consider him as a hundred percent, true blue, conservative Republican--which, really, he wasn't. [Laughter]

Fry: What was the difference between Nixon money and Earl Warren money in campaign funding and financing?

Lynn: I wouldn't be able to answer that question. I don't know. Warren had the support of a great number of very prominent people throughout the state. He had the backing, of course, of the Sacramento Bee, all the major newspapers. He was a great friend of Tom Storke, the publisher down in Santa Barbara, and the Los Angeles Times. He had almost universal support in all of his campaigns from all the major newspaper people, particularly Walter Jones of Sacramento, Tom Storke of Santa Barbara, and

Lynn: nearby, in Oxnard, Ed Carty. All those people. He had almost universal support.

I think some of the people who supported Warren also supported Nixon in his efforts because they were noncompetitive. They never ran against each other for anything.

[End of Insert]

Supreme Court Appointment

Fry: With Nixon as vice-president, how did Warren ever get appointed as chief justice?

Lynn: Well, Nixon himself got into a little cloud, as you know. He almost got canned.

Fry: Do you mean at the end of the campaign?

Lynn: Well, when that fur coat deal and that grocery store loan, and all that stuff came out. And there are a great many people even today who wonder how a fellow who was way in debt when he became senator, after staying in politics, on a legislator's salary right straight through, comes out with three or four million dollars. It's kind of a mystery in itself.

But, he's got it. And it would be interesting if somebody knew how he got it.

Fry: Are you saying then that because of the cloud that he was under, that he didn't have the influence with Eisenhower?

Lynn: For a long period of time, there. For about a year and a half, he was pretty much on the brink--on probation. But I don't know when Brownell called Warren to make the original inquiry--to make the appointment to come out and see him--I don't know that the President, at that time, had even discussed it with Nixon. I would be inclined to doubt it.

I've heard conflicting stories, so many of them, that I'm not qualified to tell anything--all this hearsay stuff, rumors and what not, is not factual--

Fry: Everyone has his theory, and sometimes all we can do is just pick up leads that can be checked out.

Lynn: All I know is that Mr. Herbert Brownell called him, and of course Earl Warren didn't have any idea that he was going to be chief justice--you know that--when he called again. As a matter of fact, he was over at the ranch with me when we got one call one night and had to go into--we were on a party line there and he didn't want to talk on a party line at the ranch--so, we had to drive in a blinding storm up the road to get to a telephone that was on a regular AT&T one party line. But he didn't know until he got back there that he was going to be appointed chief justice.

Fry: Who called you at the ranch?

Lynn: Brownell.

Fry: Brownell called Earl Warren at the ranch?

Lynn: He called him at Sacramento and Sacramento called the ranch and said that Attorney General Brownell wanted to talk to Warren and that's how he got the message.

Fry: In that first call, did Brownell mention the chief justiceship, or just a--?

Lynn: I have no idea what he mentioned to him. I'm sure that he at no time mentioned the chief justiceship to him. It was a vacancy on the court and that was it.

Earl Warren told me this: that he didn't know that he was going to be offered the chief justiceship until he got back there and they wanted him for the chief justice.

Fry: I've heard other people say that Warren would not have been interested in an associate justiceship. He wanted the chief justiceship only.

Lynn: No, that's not true. That's not true. I could bet on that because well, he didn't know he was going to get it. He would have accepted. That's what he <u>expected</u> to be, an associate justice. He didn't have the idea of being chief justice.

Of course, it would be a great honor, and those kind of thoughts go through your mind when the chief justice of the United States passes away. Somebody is going to get his job.

Lynn: But there were certain justices on the court who, through their seniority or for many other reasons, might have been more eligible than he was.

It came as a complete surprise, and I'm sure he's told you this. Hasn't he?

Fry: No, we haven't gotten to that part yet.

Lynn: Well then. It came as a complete surprise to him. And I'm answering your specific question: I'm sure he would have accepted it; I know he would. He made up his mind before he went back.

And incidentally, he never discussed that appointment or what he was going back there for with me or, as far as I know, with anyone else.

Fry: You had to drive him through a storm to get to the telephone, sometime prior to the actual appointment?

Lynn: Oh, I didn't have to drive him terribly far. We drove up to a little bar up there, about ten or twelve miles north of my place. It's towards Willows, but it was this side of Willows, and there's a bar there. A little bit of a crossroads deal with a telephone booth inside. And it was a miserable night.

We walked in and the first guy we ran into was Ernie Nevers, the football great from Stanford, Ernie Nevers. He was up there duck hunting with a group of guys. And when we walked in the door, Nevers looked up and there was Warren and he said, "Hi there Earl." So, we had to go over to the bar and the CJ flipped out a twenty dollar bill or something and said, "Buy these fellows a drink and where's the phone booth?" And that's when he went to the phone.

But I never knew anything about it. What he was going for, and in fact, he never told me a darned thing until after he had been appointed. Well, I think I knew about it a day or two ahead of time, that it had been offered and accepted, and all that and the negotiations were very private.

Brownell flew out to Sacramento and that was it.

Fry: What was Warren doing at your ranch? Were you duck hunting?

Lynn: Yes.

Fry: I see. And this call came in the evening?

Lynn: Ah, yes. This particular call came at night. I would judge that it was between six-thirty and eight in the evening, our time. Which would be anywhere from nine-thirty or eleven in Washington.

Fry: Well, that's a story that I didn't have.

Lynn: Well, now, I have no knowledge of the conversation at all. But I remember running into Ernie Nevers and here we were breaking our necks to get up there, and I could see that he was disturbed.

I had said, "Do you want to go into Williams?" Which was much closer, but Williams was still on that little private telephone line out of Colusa. He said, "No. I want to get to an AT&T deal." So, that's why we got in there.

After he had his phone conversation, then we stayed around there for a couple of hours with these guys. We talked football and had a few belts. Of course, the Chief Justice doesn't drink anymore now. But in those days, he could take two or three.

Fry: Tom Storke told me his favorite was scotch.

Lynn: Well, no. In his early days, he drank bourbon. And then he switched. One day when I was back in Washington and we were going to a gridiron dinner, or Alfalfa dinner, or some of those dinners somewhere, when the waiter came by (I drink bourbon myself) he said, "I'll have scotch and water, I think." And I looked at him and I said, "Are you out of your mind? What's happened to you?" And he said, "I think it's better for my stomach." And I said, "That's a switch, for sure." [Laughter] And he did. He stayed with scotch for a long, long time. But in the early days, he drank bourbon.

III LYNN AND WARREN FRIENDSHIP

Early Acquaintance

Fry: Tell me, how did you meet?

Lynn: We met, and I just don't know the year or how, but I do know the man who introduced us. It was the thirties, I guess. It was Edwin Carty. He lives in Oxnard. He was mayor of Oxnard, California, and there's a man that can really tell you some stories about Warren. You ought to see him. Edwin L. Carty. C-A-R-T-Y. He's a great man.

Fry: Where is he now?

Lynn: He still lives in Oxnard. He owns the town. He's a multi-millionaire. He's a terrific guy. He's the man who introduced me to Earl Warren. And I think that the introduction came--Carty was coming up to shoot ducks with me at the rice farm, I think that was the way it was. I really don't remember. And he said, "Would you mind if I brought Earl Warren?" And I said, "Who's Earl Warren?" (I think he was district attorney at that time, or maybe attorney general, I don't remember.)

Fry: He became attorney general in '38.

Lynn: Well, he might have been attorney general. I guess he was. And I said, "Sure. You can bring anybody you want, Ed. It's all right with me." And then we went to see him and I guess that was the first meeting about that time.

Fry: You went to see him to duck hunt?

Lynn: No, we went to see him on a social meeting of some kind, and at that time, Carty invited him to come duck hunting up at my ranch a few days later. And so he did.

And then later, Carty arranged a trip. Carty's a great friend of Donald Douglas of Douglas Aircraft and W.B. Stevens of Douglas Aircraft--they're all related down there in that group, anyway--so, he wanted to know if I wanted to go marlin fishing. I guess that was after Earl was in his first term as governor, and he said, "You suppose the governor would like to go?"

I said, "Well, I don't know why not. How are you going to go?"

And he said, "Well, Donald Douglas will give us an airplane, and we'll fly down to San Lucas or La Paz or someplace."

And I said, "Great." And he did. Carty set that trip up. We made a number of trips after that down there, but Carty set up the first one. There's nobody that I knew that has a more--Carty later became a president of the League of California Cities for about five terms.

Fry: Is that while Warren was still governor?

Lynn: Sure. Warren appointed him as chairman of the Fish and Game Commission, too. Carty is a man you can't overlook in your series. Outstanding. I think he is one of the major friends and supporters of Warren's.

He's a Democrat and a Catholic. Warren is a Republican and a leader in the Masonic Order, but they were the closest of friends and I don't know of anybody, anywhere, that has done or did any more for Warren in his campaign, both for governor and his other activities than Ed Carty.

Fry: What sort of things did he do for his campaigns?

Lynn: Oh, just speeches, money, everything. He was just a real worker and a powerful political force in that Southern California area. Really, really powerful guy. Quite a man.

Fry: I'm puzzled as to why he hasn't been recommended before, perhaps because he's outside of the Los Angeles County group that I've heard about.

Lynn: Well, I'm amazed that you don't know about him because you couldn't contact anyone that could give you more intimate stories about the CJ. I've got some pictures, as a matter of fact.

Carty's a great big game hunter. He has one room in his house that's as big as this room here, bigger. Solid zebra hides, lion skins, waste baskets made out of elephant's legs and a whole bunch of fantastic things. Of course, as I said, he's a tremendously wealthy man.

He had a lot of oil properties and real estate. His wife was a daughter of one of the real pioneers down there and they had thousands and thousands of acres of land. That navy base was built on their property and they had--well, they are the kings of Ventura County, believe me.

So, before you finish your project, get a chapter on Carty.

Fry: So, you primarily met Earl Warren socially and then--was your relationship mostly around sports activities? Hunting and things like that?

Lynn: Yes, mostly. About a hundred percent. Of course, I have never been involved in politics, myself, and the only political campaigns that I ever pretended to take any active part in were his. Well, I helped Joe Alioto in his campaign.

Fry: Oh, you did? He's a Democrat.

Lynn: Well, the reason for that, Joe was the manager--I'm a rice grower--Joe was the president and general manager of the California Rice Grower's Association for ten years. He did a magnificent job. We have the biggest co-op today, largely due to his work. And I have tremendous regard and the greatest respect for Joe Alioto. A lot of people don't like him, but he's a great man and eventually he will emerge, I think, from this litigation with Look magazine in great shape.

Fry: Have you been a rice grower long enough to have been involved in the development of the rice co-op?

Lynn: Well, I've been a stockholder since it was organized. I think it was started in 1945 and that's when I became a member, in '45--'46, '47, maybe.

Fry: What business were you involved in at the time you met Earl Warren?

Lynn: I've always been in the hardware business, hardware manufacturer's rep. We represented a number of eastern manufacturers of various hardware and some automotive and electrical lines. Due to the fact that California was pretty sparsely settled back in 1921, you'd take any line that came along--so we had automotive lines, we had hardware lines, and electrical, and that was my business. I was never in any other business. But we've covered that story.

[Interruption]

The things that I can tell you--it's kind of hard to review a thirty-year association and pick out the outstanding things. I got a kick the other day about the fact that Reagan and Nixon both endorse this big health program, you know; that was exactly the thing that Warren envisioned twenty-five years ago.

Fry: Now, it's full circle. [Laughter]

Fishing in Idaho

Fry: I was hoping that maybe you would be able to give us some anecdotes that would show what the Chief Justice is like as a real person. Does he have a sense of humor?

Lynn: [Laughter] Well, I can tell you one that was funny. We were fishing. We've fished all over the country. We've fished in Montana, Wyoming, Idaho, Nevada, down in Mexico--we've done a lot of fishing and a lot of hunting together, but one of the funniest things that ever happened--there's a little town in Driggs, Idaho. And it's on the Teton River, which runs right at the base of the Grand Teton Mountains. This river is the greatest

Lynn: fly fishing stream for cut-throat trout--one of the greatest in the world, there's nothing like it. Oh, it's fantastic.

And there's a lodge on this river called Alma's Lodge. Now, Alma is a Mormon name, this is a man's name. You'd think it'd belong to a woman, but it's a man. And it's a very small lodge, they've got little cabins. Maybe eight to ten guests would be the absolute maximum.

Well, anyway the Chief Justice is a totally inexperienced fly fisherman. He's a southpaw as you know; he's left-handed. And he don't know anymore about throwing a fly than he knows about a lot of other things. [Laughter] I kid him about it all the time, trying to get him to practice, but he won't do it. But he loves to fish.

And on this river, you take a boat and a guide and it's a very fast river, it's very clear. The water's very clear. And the guide poles you down. They have motors on the boat, but the current is so fast that they take a pole and they hold the boat, then you can cast, you see, fly cast. And then you move downstream and fly cast some more, and you spend the day out on the water that way.

Well, we caught a lot of fish that day and despite the fact that he wasn't getting the fly out there, there were so darn many fish in the river that he was catching a lot of fish. But he didn't catch any real big ones. But, finally, he tied into a beauty. It was about a four-pound trout. A nice big trout. The technique in the river is you bring the fish in and then the guide lifts him out with his big dip net and that's all.

But in this particular case, the water was going pretty fast. So the guide had to hang onto this pole and I was going to net the fish. And I knocked the damned thing off. He'd played it for twenty minutes and he brought it up. Oh, it was a beauty--that big--and I reached down and I knocked it off. And he looked at me, and I'm going to tell you what he said.

He looked at me, and he said, "You did that on purpose." He was going to throw me in right after the fish, or something like that. Oh, he was mad. [Laughter]

And I said, "You don't think I was going to let you get ahead of me and let you catch the biggest fish, did you?" [Laughter]



Earl Warren fishing on Teton River, Driggs, Idaho, August 1968, with guide Lyle Kunz and Wally Lynn.

Landing in a cornfield to go trout fishing in Driggs, Idaho, August 1968. From left: Guide Lyle Kunz, Chief Justice Warren, airplane's pilot, unidentified man on airplane wing.

Lynn: But, oh that was funny. He still remembers it and reminds me of it. He says, "You're gonna knock that one off for me, too?" Well, that was just one thing. But we've had a great many very amusing, very, very amusing things happen.

Fry: I want to get the setting of that story. Is this the time you flew in and landed in a corn field in Driggs, Idaho, and had a guide who took you to this great spot for trout fishing? You have a picture for that.

Lynn: Yes, and right in the shadow of the Grand Tetons.

Catching Marlin in Mexico

Lynn: Just last year, in 1971, we were down in Mexico and John Daly was with us. He was using my tackle and John hooked a marlin and he'd never caught a marlin in his life. The Chief Justice and Earl, Jr., were there, too. Catching a marlin is quite a science, and I've done a lot of that kind of fishing and I was trying to give John advice. But when you're fighting a great big two-hundred pound fish, it's hard work. The sun was hot and the sweat was rolling off his face and I was telling him to do this and do that, and I reached over to try and help him, and I just tightened the drag on the reel just a little, and, boom, I busted the line and the fish got off.

And again, Daly was going to throw me in after the fish. So there was two of them, the son-in-law and the Chief Justice. and the CJ said, "Now you know how he is, John. He did the same damned thing to me." [Laughter]

Fry: How was Earl Warren at marlin fishing?

Lynn: Oh, he's good. We went down there one time, his first time in La Paz. He had been marlin fishing a number of times, but had never caught one. And I told him about this particular place at La Paz and if he would make the trip I guaranteed that he would catch a marlin.

Well, he was governor at the time, and though they had no communication, somehow they got the word to Mexico City and relayed it to La Paz, and when we got there (we were flying a

Lynn: private plane) oh, the President of Mexico had sent a delegation and the soldiers were there and the general--what the heck was his name? And a big fiesta you know. A big deal was the last thing we wanted.

So, we had Earl, Jr., and Bobby and my son and myself, and Ed Carty was there. We had too many to go--the boats were small--so we had to split up. And the general that had been sent, together with his entourage from Mexico City, he wanted to go. So, we had to split up.

So, the governor, Earl Warren, and the general went out on one boat and I think Bobby was with them, or maybe Earl, Jr. I didn't go with them on that particular boat. I went on another boat. And the governor caught a 220 pound marlin, the first crack out of the box, boom. So he really got a dandy. I've got a picture of that at my ranch.

[Insert]

Lynn: We had one trip to Mexico where we were accompanied by Ben Swig and Bob Mayhew, who was the very controversial character involved with Howard Hughes--he was with us on the trip. I have pictures of it here. There's nothing particularly outstanding about it except that on that trip John Daly got a hammerhead shark.

Fry: Maybe we should have a chapter here on Hughes.

Lynn: [Laughter] The CJ met Howard Hughes, you know. He's one of the few--he met him twice.

Fry: How?

Lynn: I don't know how, but I know that he talked--he had two meetings with Howard Hughes.

Fry: When he was Chief Justice?

Lynn: When he was governor. The circumstances you'll have to get from somebody else.

Fry: From Howard Hughes? [Laughter] That's not likely.

[End of Insert]

A Helping Hand in Politics

Fry: I'd like to have a picture of that, and I hope that also you can find the list of the doctors that you took up to your ranch.

Lynn: Well, I don't know that I would want to give you that. Because it's all over and done and they were converts. They like him now. One of them is Dr. Allen Hinman, who is still practicing here now. And as a matter of fact, he has taken care of the Chief Justice since that time. Another one is Dr. Otto Pfluger who was the chief of staff of St. Luke's, and quite a guy. And there were others, but--

Fry: You mean that you feel that they might not want to be designated as having been against it at one time?

Lynn: Well, I don't think that there's much point in it. They've changed their minds, the fellows that were there, and I wouldn't want to--

Fry: I was only interested, you see, because we have interviewed a number of doctors (another member of the staff did), and I just wanted to check and see if any of those who have been mentioned as fighting it were the ones who later were at your meeting, converted. So we could have that end of the story, too, and put the whole thing together.

Lynn: I wouldn't know. I'll think about that.

Fry: Because I'm afraid that we have part of the information on some of these doctors, and if they were later converted--

Lynn: Well, Cline was never converted and several of the doctors are dead that were there. There are two of them that I know of that passed away. And there were a couple of others who were kind of, I don't think were completely converted, although they acted as though they understood the story, practically all of them. It was a very friendly thing. I told them that there were no holds barred. They could ask any questions they wanted and that it would never get out of that room. And that was the basis on which this meeting was arranged, because there would be no further discussion of it. And there never was, right until this very moment; I've never discussed it, unless Earl Warren has.

Lynn: But it has been a source of considerable satisfaction to me, selfish maybe, to feel that the things that he stood for and the things that he advocated and that I thought were great have now proved to be just that. So, that makes me feel pretty good. That, at least for once in my life, I was on the right side.

Fry: A little ahead of the game.

Lynn: Well, no. But he convinced me at the time that there were people who had committed suicide, whose families had been wrecked just by these exorbitant costs--and they always have been exorbitant, even in those days, before we had inflation. And he had some concrete cases. He laid them out. In those days we didn't have Dr. Salk's vaccine and as you know, one of his daughters had polio. And a polio patient, who didn't pass away, who was cared for in the iron lung--why it could put anybody out of business, financially.

Fry: You were going to tell me about your Wisconsin trip--

Lynn: There was nothing to it, really. I was going there on business. We represented a firm manufacturing flashlights and batteries and the campaign was on, so I spoke to their local Rotary Clubs in Madison, Wisconsin, and Milwaukee and just told them something about the state of California and Earl Warren. That was all.

Fry: Do you know which campaign that might have been?

Lynn: No, I don't. I think it was about, oh, somewhere in 1950-51.

Fry: Well, maybe it was the primary. He entered that Wisconsin primary in '52.

Lynn: Yes, that was it. At the time, he had entered the Wisconsin primary. And he had been there. He would have been there and was coming there again shortly, and I knew some people in Madison and also Milwaukee, who were top people in Rotary and I spoke at the Rotary, very briefly and told them something about him. And they asked me a lot of questions about him, what kind of a governor he was, and I was able to answer, you know, some of the questions, but not all of them.

Fry: Our guess is that Warren was glad to have help from his close buddies (who would ask no favors) in financing his campaigns in order to avoid funding from vested interests. Did you contribute to any, or help in fund-raising?

Lynn: Yes. I never did help in fund-raising very much, but I did contribute.

[Interruption]

Warren is in Hollywood, Florida, he and Mrs. Warren, right now. He's down there getting an award from Brandeis University. He and Ben Swig are there together.

Hunting Parties

Lynn: If you want stories of hunting and fishing, Earl, Jr. would be better equipped. He's not very talkative and he might be reluctant to talk about it.

But, if you can tell him that I personally would like to have him fill you in on some of the deals that he participated in where I didn't happen to be--like the Channel Islands, particularly, deer hunting and wild pig hunting. They had some great experiences there.

Fry: Was this fairly frequent?

Lynn: I don't think it was frequent, no. I think he went over there when he was governor, possibly two or three times, but they were all major trips. Major in the sense that they were hunting for big game and they were hunting in areas where ordinary people don't get a chance to go because those are private islands. Privately owned and by invitation only.

Fry: Who owned that?

Lynn: I don't know. The Vail family, I think. But Carty could tell you. Carty was with him. And I think that Carty arranged it. There's a very wealthy ranching family that lives down there in Ventura or Oxnard that owns those islands. I personally have never been on those islands and have never hunted on them, but I've heard a lot of stories about them from the Chief Justice and from the boys.

Fry: If the Chief Justice ever has time, maybe he can unwind some of these stories.



Duck hunting at Wallace Lynn's ranch in Colusa, California. Standing, from left: Edmund G. Brown, Jr., Edmund G. Brown, Sr., Earl Warren, John Charles Daly, James Warren, Robert Warren, Dr. Harry B. Gallagher, Wallace Lynn. Kneeling, from left: I. W. Hellman, Earl Warren, Jr., Judge Ted Lunsford. Circa 1963.

Lynn: He would be glad to, I'm sure, because he has some great stories about the boys when they were much younger, and the shooting. And he's got some great stories on the island trips. I've heard them several times and they're very interesting.

Fry: Is there anything else I should especially know about to ask him when I get the opportunity?

Lynn: Well, no, I don't know. He loves to hunt ducks and over the years has hunted with me up there. You know, over a period of some thirty years, I guess, he has hunted with me, pretty steadily during the duck season.

He used to come over when he was governor and later when he was Chief Justice and we've had a great many very pleasant hunts and a lot of people in the area have been out to see him and to visit with him. I don't know of any particular incident that's outstanding.

He enjoyed hunting with Jules Cuenin. Jules Cuenin was the sports editor of the San Francisco Examiner. Field and Stream editor, years ago. Cuenin was a very great shot. I mean he shot all over the United States in tournament shoots and he was a very patient man.

He'd teach kids. He taught Bobby and Earl and my son how to shoot. He'd spend a lot of time with them on skeet and trap shooting. He was a great old character. And on several occasions, he'd take the Chief Justice out and show him how to call ducks and how to shoot them and how to lead them and all that. He was real great that way.

There's nothing much more that I can tell you.

Fry: I wonder who were some of the other people that sometimes would go along on your trips?

Lynn: Well, Pat Brown came over, he came over every season while he was governor. He always wanted to time his visits when the Chief Justice was there. So, I always arranged to let Pat know when the Chief was coming out and when we would have the party. Pat would come over with his son Jerry, who at that time was a law student before he became secretary of state--I guess he is now--and the Chief Justice and his two boys and then my son and myself and Joe Kemp, that would make up the party.

Lynn: Later, when John Daly married Virginia, why, he joined the party. I've got some beautiful pictures that could be put into this collection. I've got them at the ranch. I don't have them here, unfortunately. But I've got some beautiful pictures with Pat Brown and Jerry and Bobby and Earl and my son, the group, and they're dandies.

So, if you're interested in those kinds of things, in pictures, why, I've got some good ones.

Fry: Well, I certainly am. I could use those in the manuscript.

The thing that always pops into my mind when we talk about things like this, is that sometimes recreation activities also serve as catalysts for government business, and I wondered if this ever happened?

Lynn: Never, never, as far as I know. I personally had no interest--well, I was always interested, but I never had any discussions with Earl Warren about things that were going on in government, particularly.

If there was some matter of local interest, we might discuss it on a casual basis. But I was completely removed from politics and he knew that, and I think that's probably one reason why we remained such good friends.

Fry: He could really relax?

Lynn: Well, he could relax, and he wasn't subject to any questions--I never allowed any newspapermen or photographers on the place unless he gave permission. These fellows would call me--particularly during the national campaign, the AP and the UP would be out there--so I just asked him, always, if it was all right, if he wanted any pictures, if he wanted to give an interview. In most cases, he did. He was very cordial and very pleasant.

But they took a lot of pictures and we always had a gang there. The Sacramento Bee, you know Walter Jones. Well, Walter Jones is a great friend of the Chief Justice and Jones would always send his representative over and then the Colusa paper, the local paper, would have their guy out there, and all the syndicated stuff. And they took pictures--some of the pictures taken on my place made national. I think one of them appeared in Life Magazine, or Time, or one of those magazines, showing the Chief with a string of ducks.

Fry: That sounds like a good picture.

Lynn: Whenever they took pictures, I specified that copies of everything they took would be sent to me so I could check them. And I've got most of them.

Fry: We're trying to get a picture file for the Earl Warren collection--

Lynn: Well, I've got a lot of them. A great many of them are autographed, I'd have him autograph them. So, they're all at the ranch. I'll bring them down in a week or so and give you a ring. Then we can go over them and see if there's anything that you want and we can make copies--

Fry: Warren would enjoy going over all those pictures.

Lynn: Oh yes, he does.

Fry: Did you ever have any trouble in keeping newspapermen out, especially in times of high interest, like in 1948 when he was or was not going to run, before the Republican Convention?

Lynn: We never had any trouble because my house, at the ranch, sits back about a half a mile from the road and if they came in without invitation, we had a caretaker who was pretty tough and he'd always ask them for their cards or their names and have them identify themselves, largely for just plain security reasons. I didn't know who they were or what they wanted, and strangers or cranks or nuts might come in and say they were representing a newspaper when they would be just curiosity-seekers and knew that he was there.

Generally, there would be a release when he left Sacramento, particularly when he was governor, somebody would give it to the papers that he was going hunting over at my place. And the newspapermen would be there before he was, almost, you know.

After he became Chief Justice, it was a little bit different. Then they'd meet him at the airport and he'd tell them that he was going hunting and then some of them would come up after he'd been there for a day or two.

Conversations

Fry: You said there aren't any political discussions with you and that he could really relax with you and--

Lynn: Well, I still feel that he could. Yes, we used to have minor discussions about things, but never anything of any importance at all.

Fry: You're the first person I've met that hasn't taken credit for at least one idea that Earl has had.

Lynn: No, I'll tell you, I never could do that because we just never got into it. I always felt that if he wanted too--oh, we had some great arguments at times about oh, a lot of things. Sometimes not even remotely connected with political things.

Fry: Hunting techniques or--?

Lynn: Oh, just anything. He loves to argue, you know. He likes to discuss. He's just a natural attorney and he just likes to argue, and I think sometimes if somebody expresses an opinion, regardless of how he feels, he'll take the opposite viewpoint just to bring out the facts.

Fry: Maybe that's the technique he used to get facts.

Lynn: There is no question about it in my mind because I know that he'd take a stand on an issue at times when I knew and he knew that he didn't feel that way at all, but he wanted to find out more about it. So, he'd start the argument or continue the argument and the discussion to just develop the whole theme.

And that, to me, was one of his great abilities because he always was able to time his remarks so that he'd bring out the whole story and I think that's what made him such a great judge. By the time he got through with his questions and his stimulating remarks, he'd get the story.

Fry: Well, I can see how this might also work in the governor's chair, particularly when he was dealing with opposing interests.

Lynn: There's no question about it. He's a great arbitrator and he was not only fair, but I don't think he ever handed down a decision

Lynn: in his whole life, until he felt he'd heard the whole story, both ways. And he never made any abrupt or precipitous decisions that I knew about.

He may have made a couple of mistakes at some time or another that I don't know about, but if he did, I don't know anything about it.

Fry: Were you able to visit him some in Washington?

Lynn: Oh yes, a number of times.

Fry: And you got to sit in on the court, I guess.

Lynn: Oh yes. I've been in the court many, many times and also I've stayed at their home, at their apartment, when I got back there.

And they stay here, he has stayed here. Mrs. Warren hasn't stayed here. Maybe she did once. But when she's with him, most of the time, they stay at the Fairmont.

Fry: I wanted to ask you if she ever was present during the hunting expeditions.

Lynn: No. She's never been up there. She never cared about it. They often come out at Christimas time, and then she's got her grandchildren and then she's a great shopper. She loves to shop and she gets down and just prowls around the department stores, you know, and really-- They've got so many gifts to buy! They have eighteen grandchildren, and all those kids have to be shopped for and so she's delighted to get him out of her hair, you know. I mean, to get him out of town. He doesn't like to shop at all, so it's great for both of them. She's got a full week, practically, to finish up her shopping here, before Christmas.

Fry: Does your family ever join their family and the Swigs--for Christmas?

Lynn: No. We've never spent Christmas with them. We've always spent Christmas with--my wife passed away a couple of years ago. We always spent Christmas at the ranch. My son and his two sons and his wife, and my wife and her brother, who is a senior engineer for the telephone company, and his wife and his two sons. So, we've always spent the holidays at the ranch, Thanksgiving and Christmas and New Year's.

Fry: There's plenty of space for the kids to spread out.

Lynn: That's right. And the kids like to hunt. That's always during hunting season, and they're all boys--there's no girls at all, anywhere in the family line--so the boys all love to hunt. So we've always spent it up there.

They as a rule spent their Christmas in Sacramento and then they would visit Jim over at St. Helena and Bobby down at Davis. They'd kind of make the rounds there.

Fry: Oh, I didn't know that.

[Insert]

Fry: Did he take part in other special family events? For instance--could he perform a wedding ceremony, as Chief Justice?

Lynn: I never asked him to marry anybody, but in talking to him one day--what was his reason?--he didn't think that was a function of the court. Or something, I don't know--he didn't like the idea of marrying people.

Fry: I can see that once a judge or a justice starts to do that, he could be swamped with requests.

Lynn: It could be. He wouldn't do it when he was governor. A governor can marry you, you know. I didn't know that, but he can.

Fry: How did Earl Warren come to swear in the members of the first Airport Commission in San Francisco when he was Chief Justice?

Lynn: The City of San Francisco has various commissions and one of them is the Public Utilities Commission. Under the Public Utilities Commission there's the airport, Hetch Hetchy, Muni, and the water department. The airport was growing so rapidly that they decided to break off the airport from the Public Utilities Commission and set up a separate airport commission.

Mayor Alioto asked Bill McDonald and myself, who were on the Public Utilities Commission, if we would leave the Public Utilities and form a new Airport Commission, which we agreed to do. Then he got the names of others. He selected three other men--William Coblenz, attorney, and Jack Sutro, who was president of the American

Lynn: Bar Association, very prominent San Francisco attorney, and Joe Mazzola to form the first Airport Commission.

The Chief Justice was scheduled to be in town at the time the swearing in was to take place. I asked him if he would swear in the Airport Commission as a favor to me, and he said no, that he didn't swear in commissions and he didn't feel that he wanted to take part in any local, municipal, or state political activities. So, we were going to be sworn in by another judge here of the superior court.

But the day before the swearing in ceremony was to take place, he called me, or I was with him, and he said he'd changed his mind and that he would swear in the Airport Commission. He appeared at the City Hall and swore us in, which was the first and only time that he had ever done that.

Fry: Do you know what changed his mind?

Lynn: [Pause] I really don't know, but I think it was because I asked him. [Laughter]

[End of Insert]

IV RICE GROWING IN THE SACRAMENTO VALLEY

Lynn Family Ranch

Fry: Could you give us the exact location of your ranch?

Lynn: Yes, it's exactly four and a half miles north and two miles east, then one mile north of Williams. It's in Colusa County, in the center of the triangle that would be Williams, Maxwell and Colusa. It's right in that triangle.

Fry: Can you try and give me a description of it? How big is it?

Lynn: Well, it's in several places. It's 1600 acres at the home ranch, and it's a rice farm.

Fry: Producing rice?

Lynn: Oh yes, you bet. We have produced, I would say, between four and five million pounds of rice a year.

Fry: Is that right!

Lynn: Uh-hum. On that ranch. Well, you see, we average about sixty sacks to the acre. Those are hundred-pound sacks. We can't plant all 1600 acres, you see. You're only allowed to plant what you have allocations for. Our allocation might run from 700 to as much as 1000 acres. So, it's variable. But, the average will run about sixty sacks, a little better than sixty sacks and that's sixty hundred-pound bags to the acre. So, if you have a thousand acres, you have sixty thousand bags, and there'd be six million. But I'd say a better average would be between four and five million pounds.

Fry: Is that about average productivity?

Lynn: It's about the average throughout the area, yeah. Rice is very productive and there's a lot of it, you know. Some couple of hundred thousand acres, you see, up there.

Fry: Are you the one who put in the rice, originally? Or did you buy the farm that had started producing?

Lynn: Oh no. I bought the land many years ago. I bought it for duck hunting and then the rice became--well, rice was never really a profitable crop until World War II, and then it really surged. After World War I, the price of rice boomed because of the Belgian problem and the refugees and the terrific lack of food; we started raising food for the Belgians and all that stuff.

And the same thing, to some degree, started after World War II. But, in the twenties, I planted the first rice up there, I guess, along in 1925 and it sold for ninety cents a sack. And you couldn't hardly make any money on it at that. That's ninety cents for a hundred pounds of rice.

And during World War II, in 1944-45, it went to eight and a half and nine dollars--from ninety cents to nine dollars. Ten times as much. And now, rice currently sells for about five to five and a half a bag.

Water Resource Issues

Fry: How did you get all the quantities of water that is required for rice?

Lynn: Through the irrigation district. You buy your water.

Fry: Has that changed any during the period that you've had the farm?

Lynn: No. These irrigation districts were formed years ago and they have--oh, it changes, physically a little bit. They put in a new ditch here and there, and new drains, but there's no major difference in the water. The water that supplies that valley is a part of the original water plan for California. I don't know whether you've ever seen that or not.

Fry: Is it the water plan of about 1924-25?

Lynn: Yes. I have one of those original maps that are just absolutely priceless. In fact, I've got one here at the house and I've got to have it mounted. It's all crumbly, the paper's so old.

Fry: This is the map of the water project?

Lynn: Yes, and it shows all of the locations. This was the plan, and eighty percent of it is completed now. But this was the original map of the water plan.

The Sacramento valley was a great big swamp, most of it, you know. It was a swamp part of the time and a desert part of the time. And in the twenties there were no levees on the Sacramento River and when the rains would come and the snow would melt, the river just ran all over. From Colusa here to Williams would be one big mess of mud.

And then it would dry out in the course of a summer (the temperatures are very high, you know) and it would just be dry and hard as a rock. With the advent of the controlled water, stemming largely from Shasta and on down through a series of dams, now it's a garden. It's all planted with barley and oats and grains and crops in the dry part, alfalfa, orchards in the irrigated areas, and rice is part of it.

Fry: I love to drive through there, it smells so good. There's always something growing.

I was wondering exactly how the development of the California Water Project had affected you.

Lynn: Well, you see, in the twenties, you could buy land in that district for--you'd just name your own price. You could buy it for a dollar an acre, or five dollars an acre, whatever. It was very cheap.

The reason it was cheap was because they couldn't control the water. You either had too much, or you didn't have any. And there were no irrigated crops. Some of the land that I have, I bought for five dollars an acre. I had to pay assessments as ditches and irrigation districts went in, but still the cost was very low in relation to its value now.

Lynn: Water is the whole keynote for this state and for every other state for that matter. If you can control your water and have plenty of it, then you can have a generally prosperous agricultural area.

Fry: Were you ever on the irrigation district board, up there?

Lynn: No, I never have been. My home has always been here in San Francisco, and if you're on a board, you have to live in that district. That's one of the regulations of all these irrigation districts.

I at times would have liked very much to be on the board of the water district for selfish reasons, you know, so I could have something to say about how they handled it. But I found that I could be just as effective not being on the board, because whenever things would go badly, I'd just get an attorney and hightail it to one of their board meetings and as a landowner and as a substantial buyer of water, I could always get a hearing. I pretty well got the story told that way just as well as if I had been on the board.

However, any matters that I might take up would be strictly those affecting me, personally, and not matters of policy because I didn't have any voice in that.

Fry: Do you remember when the -- was it the water resources control board that it was called--reorganized about 1945 or '46?

Lynn: Well, I haven't kept up with the changes in the water thing, I've been greatly concerned with the Reagan administration--their Central Valley Project has been very disturbing, but--

Fry: Out in your area?

Lynn: Generally speaking, the effect of taking Northern California water to Southern California without giving all safeguards to the requirements of Northern California. It's been a matter of considerable discussion as you know. At one time, it was proposed to split the state--Northern California and Southern California.

Fry: Earl Warren told us once that he had considered, when he was looking forward to not running for governor again, becoming a water resources private attorney, perhaps in San Francisco. Because he felt that this was the most important area that a lawyer could practice in. I wondered if he ever mentioned this to you?

Lynn: Yes, we discussed that. I never discussed with him the thought that he himself might become a water resources attorney, but water was always very close to his heart and he was always tremendously interested in anything that had to do with the distribution and the supply of California water. And he's told me on a number of occasions that that was one great big field of law that wasn't thoroughly explored. And it isn't yet; there's just a lot of opportunities in water laws that have never been thoroughly. There are some top men in that field, but they're a darn few.

Fry: Yes, and as I understand it, there's still a lot of clarification that needs to be done, litigation that needs to go to the Supreme Court.

Lynn: There's going to be a lot more of it in the next four or five decades, the next forty or fifty years; there will be a great deal of it in California because as the Central Valley thing takes effect and if we should run into a period of extreme drought, I think there will be an awful lot of litigation and a lot of--

Fry: The hundred and sixty acre limitation seems to be coming again to a head as an issue--

Lynn: Well, it has already. It's a law, as a matter of fact, in certain areas that in itself is questionable. I don't know. It has more to do with the quality of the land itself, than it does with the water. Because most of the land that I have just wouldn't grow anything but rice, and nobody can make a living on a hundred and sixty acres of rice.

If I were limited to a hundred and sixty acres of rice, I'd just lock it up and sell it or make a duck club out of it or something because you just can't produce enough, it's too--

Fry: Then you had on this land a large farmhouse, I gather?

Lynn: No. There was nothing there when I got it. We built a very small house, and it's still small. The main house has two bedrooms and two baths, and one of those bedrooms is the Chief Justice's and the other is mine. It's what we refer to as the Chief Justice's room.

Fry: Well, take good care of it. Some day it might be a state monument, if not a national monument.

Lynn: Yes, could be. Well, we've got all of his old underwear up there. [Laughter] We could keep it--put that in his exhibit--?

But, I have a Quonsut hut that I put up for the duck hunters, for all of the guests. There's eight beds in this Quonsut, there's a bathroom and a large sleeping dormitory and then a playroom with a poker table and a bar. Eight fellows can sleep in there very comfortably, if they don't snore too loud.

And then my son has another Quonsut house for his own private use. We built a smaller one for him and his friends. This was built for him before he was married and he used to bring his friends. My friends were generally of an older group and his boyfriends would be of his same age. So, he has a place that sleeps four very comfortably.

So our total capacity would be about fourteen people. Then I have a trailer house for the cook and a little apartment for the caretaker and his wife. That's how that is set up. It's not very big. In fact, it's small in comparison with a lot. We just have the bare necessities. We don't have to rough it. I mean, we have plenty of heat, and it's air conditioned and all that. We have every modern convenience, including a dishwasher and all those things, but it isn't a deluxe resort by any means.

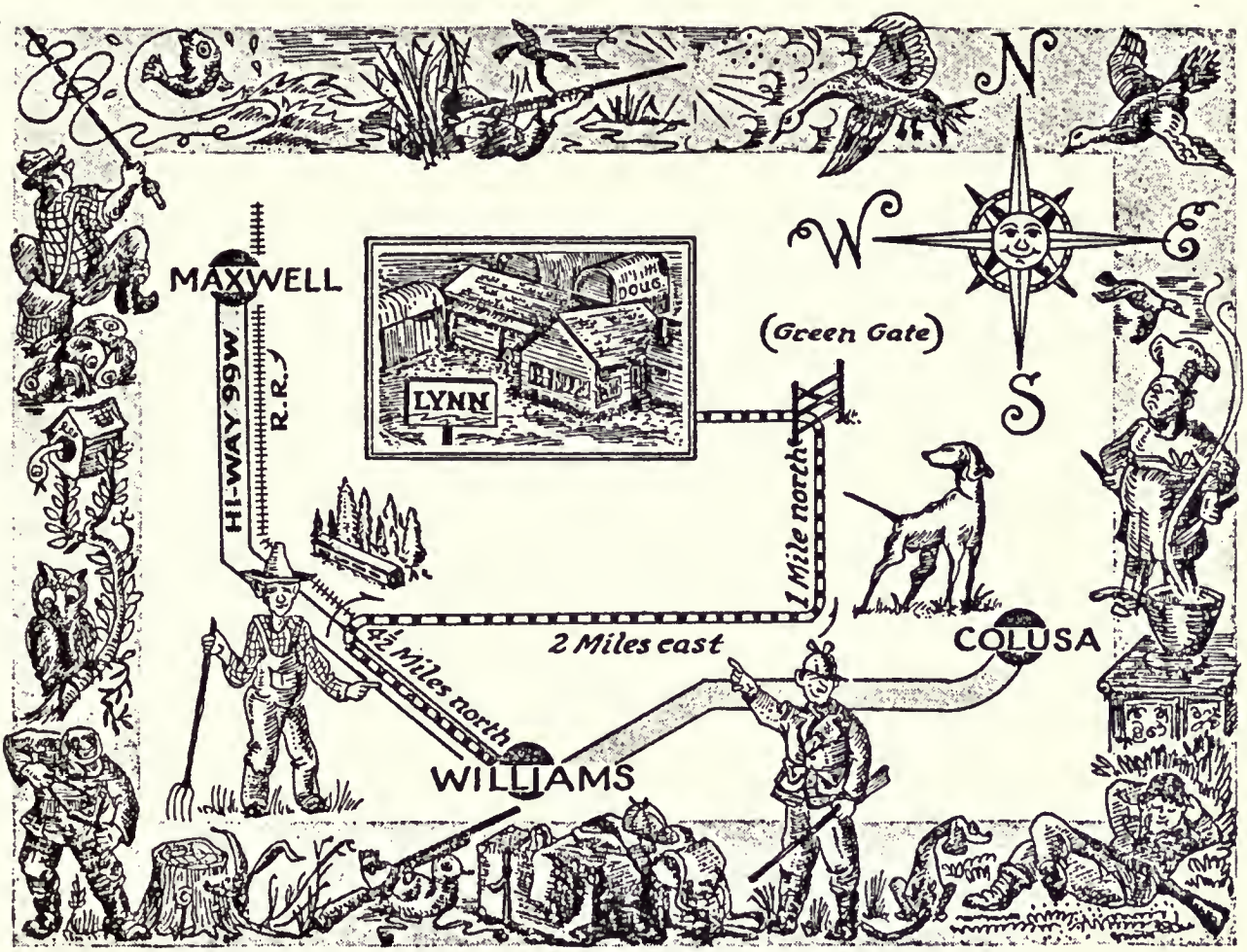
Fry: You have kind of a feeling of getting away from civilization--?

Lynn: Well, no, this is an operating ranch. It isn't a resort. And everything is set up on that basis. There's no frills of any kind. We've got some little fruit, apricot and peach trees and fig trees. We plant a little garden in the summer, corn and stuff like that, strawberries, and raise a little fruit just for the people that live there.

[Interruption of phone call]

Fry: We were talking about your ranch and how you did have room for just about everybody there, but it was primarily a working ranch. And I was going to ask you, where do you go to hunt your ducks?

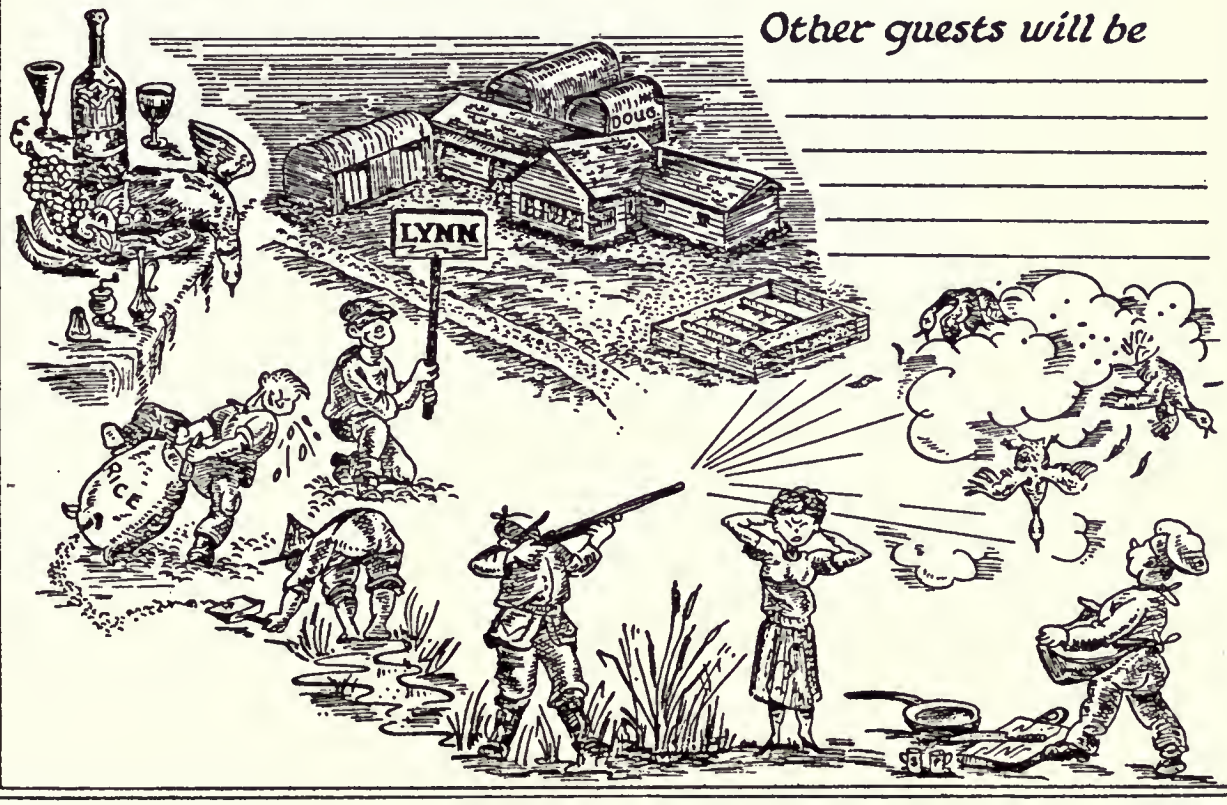
Lynn: Right there, at the place. You see, during the rice reason, all the ground is flooded and rice grows in water. And then when the duck season approaches, which is always in October, that's



We're expecting you, at _____

on _____

Other guests will be





Earl Warren at Wallace Lynn's ranch.
Circa 1970



Wallace Lynn at his ranch. Late 1960's.



Standing, left to right: Edmund G. Brown, Jr.; Edmund G. Brown, Sr.; Earl Warren; John Daley; Jim Warren; Bobby Warren; Dr. Harry N. Gallagher of Elko, Nevada; Wally Lynn. Kneeling, left to right: I. W. Hellman; Earl Warren, Jr.; Judge Ted Lunsford of Elko, Nevada.



Left to right: Edmund G. Brown, Jr., Edmund G. Brown, Sr., Earl Warren, John Daley.



Left to right: Edmund G. Brown, Jr., Edmund G. Brown, Sr., Earl Warren, John Daley.



Duck hunting, ca. December 1961. Left to right: Edmund G. Brown, Sr., Wally Lynn, Chief Justice Earl Warren.



Edmund G. Brown, Sr., Wally Lynn, Earl Warren, Edmund G. Brown, Jr., at Lynn's ranch in Colusa.



Left to right: Edmund G. Brown, Sr., Edmund G. Brown, Jr., Wally Lynn, Earl Warren, at Lynn's ranch in Colusa.

Lynn: at the harvest time for the rice. And the rice fields have to be drained and so we take the drain water and flood the duck pond.

I have set aside a certain acreage for the duck pond. Low spots. There's two natural lakes on the place that we've made into a duck shooting area. One's got about seventy acres and the other about ninety acres, and they're a couple of miles apart on the same ranch. So, we flood those two areas with the drain water and that's where we shoot the ducks.

We try to avoid flooding the duck ponds until the rice is harvested, because we don't want the ducks in there. You see, the ducks are very destructive. They're predators as far as rice is concerned. It's their natural food. And the story is that each cock sprig can destroy or eat a pound of rice a day. So, you take ten thousand ducks and that's ten thousand pounds of rice, in one night.

So, we don't like them until we get the rice out. And then, of course, we hunt them.

Pat Brown's Visits

Fry: I had a question about Pat Brown, who is a very political minded person. The relationship between Pat Brown and Earl Warren is one that is a little difficult for some political scientists to understand, since they belong to different parties. But apparently they were close enough friends that Pat Brown was willing to arrange his schedule to be with Earl Warren at your ranch.

Lynn: Pat Brown is a political opportunist--and you know, a lot of people think he's a bumbler, but that's not true. He's a pretty smart guy and he has terrific respect and admiration for Earl Warren, always has had.

When he was elected governor, the first time, Pat called me--Pat used to live right here in this neighborhood--and his brother still does live right down the street here, Harold Brown. I've known the Browns long before he became governor. So, Pat called me and asked me if he could come over, shortly after he was elected governor. He said, "When Earl Warren comes out to shoot ducks with you this year, I'd like to have a couple of hours alone with him over at your ranch."

Lynn: And I said, "Well, Pat. I can't say yes or no to a thing like that. You can call (he was governor at the time) the Chief Justice and make your own appointments. And if you want to meet at my place, great."

He said, "Would you do that for me?"

I said, "Sure. I'll ask him, but I don't know why in the hell you don't do it yourself." Because I didn't know how Earl would feel about discussing these things with him. They were very friendly, even when Brown was attorney general, they were on good terms.

So, I called Earl and he said, "Sure. What does he want?"

And I said, "He wants to discuss some of his appointments." So, that's exactly what I did. I just called Pat as soon as I knew when Warren was coming out and I invited him to come over for dinner and they had a full afternoon together, and then at night I had a gang of fellows come in for dinner. But they had a full afternoon alone. I don't even know what they talked about.

I'm sure they discussed the merits of different fellows for different jobs, you know, in the state.

Fry: That's interesting. Then they met there more than once, I guess?

Lynn: Oh yes. Several times. I always made it a point to see that they had an hour or two alone. They had some policy matters that still had to be settled.

Brown had great respect for Warren's judgement and so did everybody else, I think, that's ever had very much to do with him. I used to disagree with him on a lot of things, on a number of things, but I soon learned after the time went along, that this man has just got great vision, that's all. Great. I'd gamble on it now. In fact, he made a great believer out of me because he's just so right and so honest.

Fry: Are you talking about Pat Brown?

Lynn: I'm talking about Earl Warren. No, no, I'm not talking about Pat Brown. [Laughter] I'm talking specifically about Earl Warren. Pat Brown's a great guy, but, as far as I'm concerned, he's not in the same league with Earl Warren.

Fry: Do I understand that most of these visits in which both of them were together at your ranch were initiated by Pat Brown?

Lynn: One or two of them were initiated by Pat Brown and the others that followed were initiated by me, because I knew that Pat wanted to come and I also knew that Pat would never come over just to shoot ducks, because he's not that much interested in it.

He'd like to go where he could talk about other things. He's politically motivated and he would go to anybody's duck club I would think, under the right circumstances, if he felt that he could discuss or learn or gain anything by appearing. But I don't think that duck hunting, by itself, is of any great interest to him.

[Insert]

Interchanging Clothes

Fry: Didn't you tell me once that you and Earl Warren wear the same clothes size?

Lynn: We wear exactly the same size shoes, socks, underwear, suits, hats, collars, everything. I have a rather unusual size head, a seven and three-quarters hat, which is a large size. Early, when I first met Earl Warren (I don't know how it happened) but early in the game, he wanted to borrow a hat. He needed a hunting hat, or something. I said, "Take one of mine." He said, "Oh, no. I never can get them big enough." I said, "Mine will be big enough." He tried it, and it fit. So then we tried shirts and everything else, and everything else fits. I've got his tuxedo, one of them; I've got all of his hunting clothes; and I've got four or five of his suits. He left a couple at the house all the time, to have them here for convenience, and I've got those. Mrs. Warren wants me to have them. I haven't worn them, and [pause] I don't know whether I will or not. But I've got a couple of nice sports coats that I've been looking at, and I think maybe I'll wear them one of these days. They've got his name in them, they've all got his name sewn in them. I didn't want to take it out, and I didn't want to wear a coat and hang it up someplace and have them say, "Governor Earl Warren?", "Chief Justice Earl Warren?" "Where the hell did you get this?" [Laughter]

Fry: You said when you went back to Washington, you never had to take a tux with you because you always wore one of his. And when he came out here he never brought his--was it his hunting clothes?

Lynn: He didn't bring his hunting clothes. He either wore mine or--he finally accumulated some, which I still have at the ranch.

Fry: That made it very convenient.

Lynn: Yes, it sure did. Mrs. Warren got a big kick out of that, because I have one of his raincoats in my hall closet now. In fact I've got his clothes all over the house.

Fry: You mean that he had left here from time to time?

Lynn: Yes. I may have some of his handkerchiefs. I know he left one one time. I don't know that this is [pulling out his handkerchief].

Fry: That's a giant size handkerchief.

Lynn: Yes, I think Bart Cavanaugh sent me these from Ireland. Anyway, one time he left and he was staying at our house and I found a box of handkerchiefs, beautiful Irish linen handkerchiefs, "E.W." on them. I think there were about six or eight in the box. I've still got those.

Fry: Those will be collectors' items someday.

Lynn: That's what everybody tells me. How to collect on them? [Laughter] Well, I sent a lot of stuff back to Peggy McHugh for the collection that they're making there in the court. I've got a gun of his that you ought to see. When Warren retired from the court, [Justice] Potter Stewart phoned me and he said, "What can we get Earl Warren as a retirement present from the court?"

I said, "God, why do you call <u>me</u>? You fellows work with him every day. <u>You</u> know him."

He said, "Well, according to the rumor, you're his closest friend. Now, you tell us what we should get him for a present."

I said, "I just don't know." He said, "What kind of a gun does he shoot when he comes out to shoot with you?"

I said, "He shoots one of mine," which he did.

Lynn: "What is it?" I told him. He said, "How about a gun?"

I said, "I think that would be great."

He said, "I don't know anything about guns. What kind of a gun should we get him?"

I said, "How much money do you want to spend?"

He said, "We want to spend a reasonable amount, but what do these guns cost?"

I said, "The kind of gun that I would think you'd want to give him would cost probably around four or five thousand dollars."

He said, "That'll be fine." So when Earl came out I took him to a gunsmith and I had his measurements taken. This gunsmith was still living here. His name is Bill Nittler. He measured him up, we sent the specifications back to Winchester, they manufactured what they call a "Great American" double-barreled sixteen-gauge shotgun, beautiful wood, beautiful gun. Then they put a fourteen or eighteen carat gold plate on one side with all the signatures of the court engraved in this gold plate; it's on the gun. I've got the gun. It's at my house.

Fry: Did he ever get to shoot it?

Lynn: Yes, oh yes. He shot it for two, three years after he retired. I asked Mrs. Warren about it because this is something that is really valuable. I asked her if I should give it to Bobby, or give it to Earl, or give it to Jim, or what to do. She said, "Wally, I want you to keep it, and if and when we ever want to put it into a museum, we'll call you." So I've still got it.

V OBSERVATIONS ON WARREN, THE MAN

Sense of Humor

Fry: I've talked to some people who said that Earl Warren has no sense of humor and I've talked to other people that have said that it's not true, that of course he has a sense of humor.

Lynn: That's the most ridiculous thing. I don't know of anybody who has a better sense of humor than Earl Warren. It entirely depends on how he's approached. Now, he doesn't like and doesn't tolerate profanity, per se, or pornography or anything that is just dirty. But it can be a little bit dirty as long as it's very funny--then that's something else, you see. So it's hard to draw the line, but anyone that says he doesn't have a sense of humor, you can check them off, because they don't know the man at all. He's got a great sense of humor.

I could tell you some stories on that, but I'm not going to do it.

Fry: Oh, please tell them.

Lynn: I told him a story one time that I thought was very cute. And I told it to him over the long distance telephone. It's really funny and it's dirty. I mean, it's a little bit off color, but anyway--if I called him right now, I'm sure that he would refer to it.

John Daly, his son-in-law, is a great story-teller. John was here the other day--as a matter of fact, a couple of days ago. He stayed here with me for two nights, and he's full of stories.

Lynn: And there's a druggist here in town, a pharmacist by the name of Jim Griffith, of Broemmel's Pharmacies--he married George Broemmel's daughter and is now the head of the firm. He's a great story-teller, and always, when Warren gets here, he wants to head right out to Jim Griffith's place to see if Jim's got any new stories.

So, he has a great sense of humor, believe me. His birthday, incidentally is March 19th. And I'm trying to think up a colorful card, and I've got to get busy on that.

Fry: Oh, he told the greatest story. Were you at his birthday party last year?

Lynn: Yes.

Fry: Where does that story come from that he told, apropos of reaching his 80th birthday, about the highway patrolman chasing the woman driver down the road? Remember that? She finally pulls in at a gas station and runs into the ladies' room. When she comes out, there's the highway patrolman waiting to ticket her. She says, "You didn't think I'd make it, did you?" [Laughter]

Lynn: He loves to laugh and he loves to tell stories and he particularly loves to hear them. He's a better listener than he is teller. But he sure likes them. I always try to save a couple for him when he comes up.

Fry: What about practical jokes?

Lynn: Well, he's not a real practical joker, although he has on occasion, indulged in a few. I wouldn't say that he's a real practical joker, you know, as such. He doesn't enjoy them if they're too rough.

Fry: There was a very clean but a very funny one that was pulled <u>on</u> him, told to me by Tom Storke. Of all people, Mrs. Warren was the one who engineered the whole thing, when they were over in Europe with the Storkes.

They were in Denmark, and just as Tom Storke and Warren were about to take off for Finland, I believe, or Norway for a few days, Mrs. Warren had a case of Haig & Haig whiskey sent up to him, as though it had come from a cute little girl that worked downstairs in a hotel shop. This presented him with an instant dilemma because

Fry: he wanted to take it with him, and yet he knew it was illegal to do that. He said that it'd be terrible if he got caught. Mr. Storke told me that the Chief Justice was really torn between taking them or leaving them. So finally, he decided to open it, and he discovered that all the bottles were empty anyway. Then Mrs. Warren started laughing. [Laughter]

There's some practical joking that goes on, I guess, in that family.

Lynn: Oh yes. There always has been. There's a lot of ribbing, a lot of kidding, and just a lot of real basic good humor, plenty. There's a lot of good laughs. It's a happy, happy family. They've had a lot of sorrows, too. But you know, I mean basically they've got a well developed, fairly active sense of humor.

[Insert]

Warren Burger and Richard Nixon

Fry: There was a story that came out in Esquire Magazine* in which Earl Warren was reported to have used some language that sounds more like Harry Truman than Earl Warren, about [Warren] Burger. Do you think he really said that?

Lynn: Yes. If you pardon my using the same language, more or less, he said something about him being a horse's ass, or something like that; I don't know if it's exactly what it was. Warren was quoted as saying that. The article in Esquire Magazine was triggered by an article written by William Buckley, who put it in his column in the paper, that he had been informed that Warren had made this comment. So, when I heard about it, I wrote to Buckley and Buckley sent us a copy. (Where's the copy of Buckley's letter, Elsie?) And Mr. Buckley replied that he had heard this from a reporter from the New York Times. So, on my next trip to Washington, I inquired from Mrs. Warren and from Mrs. McHugh, Earl Warren's secretary. This reporter came down to Washington. He had never met the Chief Justice, and he was preparing data for the funeral notices; in other words, he was the obituary writer for the New York Times.

*See Appendix A for Whitman article and rebuttals.

Lynn: He called and made an appointment and went to see the Chief Justice in his office. The Chief Justice had never met him before, and he had a relatively short interview with the Chief Justice, with Mrs. McHugh present.

Fry: She was present?

Lynn: She was in the office, yes. Of course, she has two rooms. It might be that they were separated, but she was there at the time. Whether she heard the conversation or not I don't know. But in any event, he was there just to get certain facts for an obituary in the case of something happening to the C.J. They do that every year with prominent figures, preparing this data. So, he got his data and he left, and that was it. That was the end of it. He manufactured this story and admitted, later, that it was a fabrication.

Fry: He did?

Lynn: Yes, sure. Sure, somebody took it up with him and he said, well, he'd been told that Warren said that. That's what he said. He was very ambiguous about the whole thing.

Any confirmation on this is easy to get from both Mrs. McHugh and from Mrs. Warren.

Fry: You talked to Mrs. Warren about it?

Lynn: Yes, I did, at some length. In fact, I was back there (I've always stayed in their apartment when I was in Washington) and this was one of the things we talked about. I had phoned her immediately, I think from the office here, didn't I Elsie?

Elsie: No, I think from home.

Lynn: Anyway, I talked to her about it, and then I talked to her when I was back there. She said it was absolutely ridiculous.

On top of that, I have traveled with Warren for forty some-odd years. We've slept in the same bedroom, we've fished and hunted together, and I've never heard him say those kind of words. Sure, he might say that he didn't like him, and he didn't trust him, he thought he was not a good man. But I never heard him use that kind of language, never.

Fry: About anyone?

Lynn: About anyone. And the thing that he said about--I wrote a letter to Chief Justice Burger-- Or, I sent him a copy of this one. Which was it, Elsie?

I sent him a copy of this letter that I wrote to Buckley because I know Chief Justice Burger. (It's a strange coincidence his first name is Warren. Did you know that his whole name is Warren Earl Burger?)

Fry: [Laughing] I know it, yes.

Lynn: It's a kind of a--that's really something. But I went back there to the memorial that the Court gave, as a guest of the Court. I talked to Chief Justice Burger. I gave him a copy of this letter that I wrote to Buckley, and I said, "I just want you to know that Earl Warren never made that kind of comment in his life."

He said, "Mr. Lynn, I know that. You don't have to reassure me." He was very friendly, very friendly both to me and to Mrs. Warren, and he was very gracious about the whole thing. He said, "You don't have to tell me. These fellows are looking for publicity."

I said, "Well, it burns me up."

And he said, "It's certainly very unpleasant, but--"

Fry: So, in other words, what this reporter was doing was maybe couching it in his own language, although the idea itself was--

Lynn: He was just--we don't know what his thought was. There's an old saying, "You can't go into a contest with a skunk," you know. I suggested to Mrs. Warren that maybe she should speak to Bennett Williams, or some of the attorneys that were there, and she said, "No, there's really no point in it." But anybody that knew Earl Warren knew that he was not a man who spoke violently. He might have violent emotions at times, but his speech was never profane. He just didn't use dirty words, that's all. He just didn't use them.

Fry: Is that right? Not even on hunting expeditions with the boys?

Lynn: Not even on hunting--no, never. He would swear, now; I mean he might say "god damn it," or "what the hell did you do that for,"

Lynn: or something of that kind. But he wouldn't use that type of thing; there's certain four-letter words that he just didn't use, and I've never heard him use them in all that time. Certainly, he had plenty of opportunity. [Laughter] He just didn't do it.

He's been in this chair--he sat in that chair for hours. Elsie, you know him about as well as anybody.

Elsie: Sure. I was up in Swig's place several times, when I went to the Fairmont and typed his speeches for him.

Lynn: You wrote some of his letters. Some of his book, too.

Elsie: Just the speeches.

Fry: You would loan him Elsie when he was out here then?

Elsie: That was only a loan. [Laughter]

Lynn: Well, yes, but that didn't happen too often. Whenever he got in a jam on a speech or something like that, why, Elsie would type it up for him. The Fairmont doesn't have a public stenographer. I didn't know that. There was a couple of times he really got in a bind when he was going to make a talk some place and we had to get out an emergency deal. I thought you typed some of that book, Elsie, at one time.

Elsie: No. He asked me to once, and I don't know what happened. I did about three speeches for him, I think.

Fry: At any rate, we have his feelings about Nixon, then, pretty well documented, and also the way he expressed them.

Lynn: I never heard him use that language about Nixon.

And I'll tell you something else. He had a great regard, and a very high professional regard, and I think a genuine--not affection necessarily--but he liked Warren Burger, his successor. He knew that he was a Nixon appointee; he didn't agree with Burger, necessarily, politically, because Burger's ideas of the constitution might be a little divergent to some of Warren's, but he respected anybody who was honest enough to have an opinion and then lay it out so that you knew where he stood. With Nixon, he never--you never knew; he was talking out of both sides of his mouth. But with Burger, the CJ was very complimentary, to me. We talked about it.

Fry: Which CJ was complimentary, Burger or Warren?

Lynn: Both of them. They had a mutual high regard, one for the other. I had an opportunity to talk to both of them. After Warren retired I was back there and I met Chief Justice Burger a number of times, had dinner with them on two or three occasions. There is nothing phony about Burger. He doesn't agree with Warren on a lot of things, and they had some great arguments--I guess, I don't know. I never listened in on any of their arguments. But I know they didn't think alike on certain aspects of the law. I'm not qualified to comment on that, but the fact remains that they had mutual respect and regard one for the other, which he didn't have for Nixon. That's about the size of it.

Fry: If I can interject one of my kind of conclusions about Warren and Burger here, to check it out with you and see how it meshes with your impression. When I would be having lunch with Warren, the attitude that came through from Earl Warren was a kind of wistfulness, now that Burger was the CJ, because Burger was able to get all kinds of appropriations and support from Congress and the White House, in contrast to the congressional appropriation committee which Warren had had to fight, and usually lost to, while he was CJ.

Lynn: I never heard about any appropriation. For what?

Fry: Oh, things like exhibit cases, and additional Supreme Court staff. Warren had had trouble even getting some additional court clerks.

Lynn: That was due to the fact that Warren was not politically lined up with Nixon; it's that simple.

Fry: He saw Burger's situation as being much easier in this regard than it was in his time.

Lynn: Probably, probably. I don't know too much about the appropriation end of it except that Warren Burger had a sympathetic ear in the White House, and still has for that matter. [President Gerald] Ford and Nixon are still extremely close. I'm sure they are in contact with each other. They've been personal friends for twenty-five years, and there's no reason why they shouldn't, for that matter; they think alike.

President Ford served with Warren on the committee to investigate the assassination of President Kennedy. He was fairly active, I guess. I didn't hear any adverse comment

Lynn: particularly, nothing outstanding. Ford is really a protegé of Nixon's. No question about it. Nixon appointed him vice president, and Ford pardoned Nixon, so this all ties in. Ford hasn't changed that staff in the White House particularly. I don't know what Ford's relationship would have been with Earl Warren if he'd lived, but knowing that Ford is carrying out Nixon's policies, I guess that Ford and Earl Warren wouldn't have been very close friends.

Fry: Did you ever hear Earl Warren speak of Ford during the Kennedy assassination investigation?

Lynn: Yes, I did, but never anything that I specifically remember. I know we discussed the various members of the commission. I don't know just exactly what was said. [Pause] I think that Ford was one of the less prominent members of the commission. I don't think he really got into it, or had the contact with Earl Warren that some of the others had. I never heard anything bad about him--nothing particularly good either. [Amused tone]

Fry: Just parenthetically, who were the ones that seemed to have the most contact with Warren on the commission?

Lynn: I don't know. There were two or three there that really seemed to work with him. He mentioned the names to me one time, but I'd have to take a look at the list to pick them out, and I doubt if I could even then. There were three or four that were very active. Most of them were Democrats, I guess, because they were interested in what triggered this thing. But they were all outstanding men. I know he did mention two or three names.

Fry: We can end this particular insert here, and if you find Buckley's reply to your letter, it would be nice to put your exchange of correspondence with him in the appendix.

[End of Insert]

Post-Governor Considerations

Fry: I was wondering what post-governor plans Earl Warren considered? I've heard different things. I think Earl, Jr. mentioned once that maybe in '48 he was tempted with an offer to be baseball commissioner.

Lynn: I heard that that was discussed, and I know that he had been offered several rather important posts. But as far as I know, I don't know of anything definite that he really considered. It was more or less my feeling that if he did anything at all, he would probably--if he hadn't gone on the bench--that he would have probably associated himself with a good firm of attorneys, or set up his own firm and gone back to his original profession.

His pension as governor was only $10,000 or $12,000, I think, or something like that. So, he couldn't live on that. He'd have to work. He had very little capital and never was wealthy. So he would have to work or live on his retirement income, which would be entirely inadequate. So, I think he would have probably gone into the practice of law.

Fry: He mentioned to us once that it was disturbing to him to really consider going into private practice because, by the time he had been governor for eleven years, he had appointed most of the judges in the state.

Lynn: Yes, he mentioned that to me at one time that he had made all these judicial appointments and it would be difficult. And he might have not considered the law for that very reason. He might have excused himself for that possible conflict.

Love of California Outdoors

Fry: He really was an avid sportsman, as I understand it.

Lynn: Oh yes. He loved the outdoors and he loved the trees, and he loves the state of California particularly. He just loves every square inch of it. It doesn't make any difference if he's in the desert or he's in the redwoods, you know, or if he's fishing up on the Klamath or wherever, he loves the outdoors. He's really an outdoors

Lynn: man and unfortunately never had enough time or opportunity to take advantage of it.

He used to love to take his kids, when they were little over there in Oakland, down to that park, Lake Merritt, and they did it Sunday after Sunday when the kids were little. They'd take a bag of stale bread and peanuts or popcorn and feed the ducks. He just likes that type of living. He likes to get right down into the simple part of it.

He likes to sit around dressed in his khakis and with no necktie. He's always immaculately clean. That's one thing that I don't do--I let my whiskers grow, but he shaves every day. I don't care where he is, he's got that old electric. I can't shave with an electric. My whiskers are too hard. But he can, and he gets a good job done with it.

Fry: One of these battery-powered things?

Lynn: That's right.

Fry: When he's out, is he really intent on his hunting quota for the day?

Lynn: Oh, you betcha. You bet your life. He's right in there all the time, fishing or hunting. He's tremendously interested.

We had a great trip last year [1971] down there with John Daly and Bobby and Earl. We went to Baja California. He just loved it. I did too. Of course, it's just a great place to go. I hope we get to go back again this year. I don't know what his plans are going to be.

Fry: Was that also hunting?

Lynn: No, that was just fishing. I think he likes to fish better than he likes to hunt. No, I guess it's about a fifty-fifty thing. But I know he loves to fish.

Fry: When he hunts, what is it usually that he hunts?

Lynn: Well, recently he's hunted just ducks and doves. He hasn't been deer hunting for a number of years.

Fry: Is my memory right, that he and [Edmund G.] Pat Brown went up deer hunting when Pat Brown was governor? Is this something that he usually likes to do?

Lynn: I don't think so, because I think he went duck hunting and dove hunting with Pat at my place, but I don't think he's ever been deer hunting with Pat Brown. And I'd almost bet on that. I don't think Pat Brown likes to hunt deer.

Pat Brown has a ranch right close to mine there, at Williams. His wife's family or his great-great uncle or something that lived in Williams left them this ranch. He bought out the other heirs and I think Pat owns it now, entirely. It's a pretty good deer hunting ranch, but I don't think Pat hunts on it.

National Republican Campaigns

Fry: When Warren was having tough decisions to make that didn't pertain especially to politics, just to his own personal preferences of a career, did he ever talk it over with you? Such as in 1948, did he leave you with the impression that he didn't want the vice presidential nomination, that he was interested in the presidency or nothing?

Lynn: He never discussed it with me, prior to his appearing on the platform, after the decision was made. He never discussed his personal plans, politically, with me at any time, ever. And I never asked him any questions about it.

There were times when I was tempted to, and then, I don't know, I just felt that we were so intimate on a great many matters, that I felt that was just not in my particular field, so I just never discussed it with him.

When he decided to go with Dewey, I thought it was a hell of a mistake. To take it was backwards; I think if it had been reversed, with Warren for president, it might have been a lot better off. But Dewey was a brilliant lawyer. I don't know, you never get but one second guess, and I always felt that it was a mistake.

And after it was over, I think there were times when he might have admitted that it was unfortunate. You see, the head of the ticket, the presidential nominee, writes the ticket pretty much with his own group--the platform and the program and the plans, and there were a number of those things that Warren didn't think were correct and thought shouldn't have been done that way.

Fry: Was this primarily on the labor issue?

Lynn: I don't remember. I really don't. I don't evade the question, but I just don't remember. I just know that after it was over, some things had been done, and some other things had not been done that should have been done that might have changed the result.

Fry: Do you think that Warren ever thought that he'd win?

Lynn: Oh, I'm sure that he had every thought of winning or he wouldn't have gone into it. He never went in just to be there.

Fry: Were you in contact with him during the campaign?

Lynn: No, only on a very limited basis. I never had an occasion to ask him how it was going, if that's what you meant, or 'How do you think you stand now?' That political arena is such a fickle, changeable deal that you never know which way--even a little thing may turn the whole thing around. I always thought that he'd win, myself, because he's always been so lucky, and his timing had been good.

I think that he always thought he had a chance to win, because if he didn't think he had a chance, then I think he'd have found some way of declining. Nobody wants to be a loser.

Fry: Do you think that he would have definitely run in '52 if Eisenhower hadn't appeared in the Republican camp?

Lynn: Oh, I don't think that there was any question that he was a considered candidate, at the time. We know that; I mean, he was a dark-horse, he was an outside choice between the two, Taft and Ike; sure, he'd have run.

And I think that he, possibly, would have won it. See, Warren never lost a campaign in his life, when he was in charge of it. When he was the top man, he never lost.

Fry: He has a very unusual record.

Political Acumen and Integrity

Lynn: He never lost a campaign where he was running for the top spot. He just had an uncanny sense of timing and ability to do the thing that would get the thing going the right way.

Fry: You know, it's sort of unique to look back now, from the way political campaigns are run today, and see a man like Warren who could have this sense of timing and be sensitive to the needs that various groups of people around the state felt.

Lynn: There was never anything phony about the man. He knew where he stood at all times, or if he didn't want to make a commitment, he'd just say it was none of your business. And he was pretty blunt about that on a number of occasions, largely when he didn't know himself, maybe, what he wanted to do, and so he wouldn't discuss it. But, you never had to be concerned about any tricky deals or any evasive deals. He never evaded anything. That's why he got himself into so much trouble in civil rights and a lot of these other things, when he became Chief Justice. They've been dodging the issue for a hundred years, and he just decided to put it to the test. And that's what did it. Again, it's that wonderful sense of timing. It became "the Warren Court." He came out of it as one of the outstanding men of this generation and this century, and probably will emerge, eventually, as one of the real great, if not the greatest, Chief Justice that we've ever had.

But he never evaded the fight or problem if he felt it was important to do it. It's just like this problem with the doctors here, as I told you about, and the other things. He would never side-step an issue, never. He's a tough guy, if he thinks he's right. He's not blunt in the sense that he's still not a good politician. Unless somebody really pushed him into a corner, he might just refuse to get involved in some discussion that he felt either not important or too controversial at the time, one way or another. But he never pulled any phony stuff. He never made a bad promise or anything that he didn't keep. That's something about the guy that's so great.

These fellows are getting these four and five thousand dollar speaking fees and stuff like that. He never took a dime. Never. And never has yet.

Fry: Yes, he's extremely careful about those things.

Lynn: Well, he just doesn't feel that it's right. He feels that he's got a job and if he has the time to go out and deliver an address to a graduating class or make a speech, consistent with doing his own job, why he'll do it. But, he won't take any money for it.

Fry: What does he appear to be most interested in now?

Lynn: He's most interested now, I think, in revamping the judicial process, the court process. He's trying, with everything that he can possibly do, to eliminate a lot of the problems that have cluttered up our courts.

He told me here a while back that if you have a personal damage suit, if you're injured in an automobile accident, and you're not satisfied with the amount offered by the insurance company or the settlement and you file a suit, I think he said it is seven years in some places before it can be heard. It's that cluttered up because of lack of judges and lack of personnel. That's the story.

Security at Social Events

Lynn: He was invited to appear at the dedication of the Oroville Dam, when it was opened. Ronald Reagan was the principal speaker, of course, as the governor of the state. So Warren flew out and I knew there would be a big crowd so I called the FBI, thinking that at that time there was quite a bit of discussion about Warren and I felt a little more secure. So I called Joe Wuslich.

We drove to the ranch (which is not too far from Oroville), spent the night there, and then we drove over in the morning. And this is really something: we went to the dedication, and of course everybody in Colusa County knew that we were going, so the whole place followed us. I mean--we must have had a couple of hundred of people from our area. And it was nice. It was a beautiful day. Everybody was very happy.

After the thing was over, Joe was driving my car. The Chief Justice was in the front seat with him and I was in the back and we started out of Oroville and he said, "Oh, my! We've got to get

Lynn: back to town." We were just about a mile out of town. He said, "I promised some ladies that I would attend an ice cream social in Oroville on the day of the dedication. They wrote a month or so ago, and I've got the letter. Pull off the road, Joe, and let's see." So he pulls out his little portfolio, and sure enough, here comes this letter.

Now, there's this very famous house in Oroville, a state landmark, a state museum, as a matter of fact. It belonged to some old judge back in the gold rush days. And this was something to see. These ladies had formed an association to preserve this old house, and it's on beautiful grounds and it's a beautiful house. I mean, it's really something to see. And they were having an ice cream social in the spirit of the days of 'forty-nine.

There was a lot of people, and the grounds are big. But all of these old gals, and I mean these are not youngsters. They had a lot of young ones helping them, but there was about twenty older women, from about sixty to seventy, I'd say in that bracket. They had on sunbonnets and aprons and mother hubbards and it was in the summer, hotter than the dickens. And you never saw such an array of food in your life. They had cakes and pies and ice cream (it was an ice cream social--homemade ice cream) and sandwiches and cold meats and--the food was just great.

Well, when we walked in, of course, all of these old gals recognized the Chief Justice. It was old home week, right now. Joe and I were bringing up the rear end, you know, hanging onto his coattails and going around and everything was on the house, all the stuff that they had they were selling. They had advertised all over Northern California that the Chief Justice would be there. And he <u>was</u> there and they were there to greet him and it was terrific. There must have been a couple of thousand people, eventually. It was just packed.

Well, we had ice cream and sandwiches and cake and cookies. They sat us down at this table in the center of this great big dining room, where everybody could see him, you know. (And we stuffed ourselves.) I never shook hands, myself, with so many people. They didn't know who the hell I was, but they were over there to see the CJ and they had to shake hands with Joe and myself to get to him.

And there was one old gal there who was particularly attentive. She was very attractive in her make-up with her sunbonnet and all,

Lynn: just a picture, just really a picture. I wish I'd had my camera, but I didn't have it on that particular day. So, she came over finally, when we were about ready to go, and said, "Mr. Chief Justice, (she had a southern accent) have you got the time to listen to a real funny story?" And he said, "Why, I certainly have." And he got up and helped her and she sat down.

And she said, "Well, this is a story about President Johnson. It seems that President Johnson made a trip to England (or someplace). While he was over there he bought himself a bolt of very fine English woolens. And when he came back to Washington (this is the way the story went as well as I can remember it) he went to his tailor and he said, 'I want you to make me a suit out of this very beautiful piece of goods that I bought over in London.' And the tailor measured him and measured the goods and he said, 'I'm sorry, Mr. President, but there just isn't enough material here. I can't make you a suit; it's short, not enough stuff.'

"Johnson was pretty disappointed, so he took the goods and on one of his trips to Texas he took it to his tailor in Dallas and the tailor measured him up, and he said, 'Oh yes. There's plenty of goods here. As a matter of fact, I can not only make you a suit, I can make you an extra pair of pants.'

"And Johnson said, 'Well, I'll be a son-of-a-gun. That's the damndest thing I ever heard of. I took it to a fine tailor in Washington and he said there wasn't enough goods. It's the same piece of cloth and you say you can make me a suit and two pairs of pants.'

"And the tailor said, 'Well, yes, Mr. President. You've got to remember this. You're a lot bigger man in Washington than you are in Dallas. [Laughter] And if you take this up to one of the tailors I know in Memphis, he'll make you a suit and two pair of pants and an overcoat.'" [Lots of laughter]

Well, she told this story and she elaborated on it beautifully. And I thought she tickled the Chief Justice to death. "Now, you've got to remember, you're a lot bigger man in Washington than you are in Dallas." [Laughter] That was a great story.

That's what Joe just reminded me of there in that phone call--He's a senior agent with the FBI here, now.

Fry: When he went along on your hunting and fishing trips, was he there as a protector or was he--?

Lynn: He was a personal friend of mine.

Fry: It wasn't security reasons, then?

Lynn: Oh no. It was just nice to have him with us.

Right Wing Opposition

Fry: It sort of served both purposes?

Lynn: I always timed it with--Joe loves to hunt ducks and so at the time when there was an awful lot of feeling about the Chief Justice, particularly with regard to some of these racial issues and Ku Klux Klan and all that stuff, I just liked to have an armed FBI agent, who was really one of the tough guys, with me.

And I told Joe. I said, "Joe, if you like to hunt ducks, and I know you do (he's hunted with me before, quite a bit), arrange your schedule so that when the Chief Justice is here, you ride with us and hunt." And he said, "Well, I can't always do that."

Then I said, "Well, then you'll have to look for another place to hunt ducks."

He said, "Well, maybe I can." [Laughter]

So Earl Warren didn't know him until he came with us. He's a good driver and a very well-balanced guy. All those FBI agents are well-balanced guys. It was of great comfort to me to have him along. We never had any incidents, not one. But it's always nice to have him along.

Fry: Did Warren ever seem concerned enough to want to take precautions, especially during the time they were putting up those signs, "Impeach Earl Warren"?

Lynn: No. The only time he ever really got aggravated was when they put the treasury agents over with him. They burned the cross there on the hotel grounds, the fiery cross, in Washington, the Ku Klux Klan did. When he came out here shortly after, Kennedy insisted that he have two treasury agents at all times. That was a twenty-four hour deal.

Lynn: And he hated that. He just hated it, but he got it and he had to take it. Oh, the mail he got from that civil rights thing, that was a terrible, terrible thing. The mail would fill ten rooms like this. Terrible things, threats and obscenities; he didn't read them all, he just turned them over to the secretaries, and anything in the way of a threat of course, went right over to the FBI. But a lot of them were bad.

Fry: Were there a great many from California?

Lynn: I don't know where they were from, they were just from everywhere. A lot of people.

Fry: His other brush with the right wing was when he was running for governor in 1950, and then again in the '52 campaign and Tom Werdel's rival delegation. Was there any talk of threats or anything during that time?

Lynn: Not that I was aware of, no. There may have been. He's had a lot of them at various times; anybody in public life, I guess, is being subjected to treatment of that kind.

I've had a lot of crank calls myself, not threats necessarily, but we've had a couple of bomb threats--you know, at the airport they were going to blow up the building, blow up the garage. I'm on the Airport Commission here, and on the Public Utilities Commission, and we have a lot of that stuff that comes in occasionally.

Fry: Did you get any threats because of your close relationship with Earl Warren?

Lynn: I never had one.

Fry: Or crank phone calls?

Lynn: No, never. I've had a lot of guys just directly say things to me, start an argument. They'd say, "You and your pink friend," or something, and of course, that would just make me so damned mad. That has happened frequently.

Fry: I would guess it has, yes.

Lynn: But everybody knows, now, where I stand. I don't have it anymore because I never let one get away with it. I'd just say, "Just exactly what is your problem?"

Lynn: "Well, I don't like--" And they'd get some vague thing that they heard.

"Well, who said it, and what did they say?"

"Well, I didn't like the DuPont decision."

"Oh, is that so? Well, what do you know about it? Did you read the decision? Do you know what the decision was?"

"What's that got to do with it?"

"Well, did you read the decision?"

"Well, no." Then I'd say,

"Well, then you're not qualified to talk about it, so just shut up."

I've lost a couple of pretty good pals and friends that way.

[Interruption]

Retirement Activities

Fry: At one point, I think Earl Warren was offered the job as head of the Ford Foundation's Fund for the Republic when they were setting it up, before Robert Hutchins took it. I wondered if you knew about this.

Lynn: No, I didn't. Mrs. Warren has mentioned others that had been discussed, but I never heard of that one.

Fry: Once, I guess it was when Joe Wuslich's call came, you were discussing Warren's interest in reforming the court procedures?

Lynn: Judicial process? Yes.

Fry: And you were saying that this was one of his main intentions--

Lynn: He's working on that now. He's going to write a book on it. I think that one of his chief jobs at the moment is to try and work

Lynn: out a means of expediting the business of the courts. I'm sure that's what he's doing as much as he can.

He's spending a lot of time on this United Nations thing, you know; that's where he is now, in Geneva.

Fry: The exact name of that is the United Nations Judicial Commission?

Lynn: I guess it is. I really don't know what the exact name is.

Fry: But that gets into international law, I suppose.

Lynn: Yes. Well, as Chief Justice of the United States, I think he heads up some association of chief justices of the world. You see, there are other nations that have chief justices and I think that he was either elected or automatically headed up that group when he was the Chief Justice. And whether he's still a member of that group, I don't know.

So many things happened to that guy, that I can't remember half of them.

Fry: He is involved in an awful lot now. There's the Harry S. Truman Institute for the Study of Law and Peace, which is in Jerusalum, I believe. I think he's the head of that, also. It may not be functioning yet, it's just now being set up. I don't know how much time this is going to take from him and how great his interest is in it.

Lynn: Well, I don't know either. I really don't. I know his health is an important item with him and I think he's trying to pace himself so that he doesn't overdo. I guess it's his eighty-second, or is it his eighty-first year. I went back to Washington for his birthday party. Yeah, that's right. Eighty-one, on his next birthday.

Protocol

Fry: Well, to pick up another thread that we were talking about a while ago, we were speaking of how he could maintain his own integrity and at the same time be sensitive and concerned with the other groups around the state. To carry that a little bit farther, I was wondering what it was like for him socially, when he was out

Fry: and away from his office--like he would be at your ranch--was he able to really just let his hair down? Did he still appear to be a bit on guard?

Lynn: Never with me. And always very gracious and as a matter of fact, with all of the people in that area. I would occasionally have a little cocktail party. Fellows like Ralph Rutledge, who's an attorney in Colusa and was his campaign manager for Colusa County. (He had campaign managers in each county when he was running for governor.) So, we'd have a group of people that we knew were friendly to him and have them in for cocktails, you know, twenty or thirty people, and he was always completely relaxed.

He never appeared to be on guard. The only time that he's a stickler for formality is if it's a formal occasion. If he goes to an embassy for dinner, as we have done on some occasions in Washington, particularly if it's white tie, then he always gives me a good briefing. "Now, Wally, you can't be with me when I go up to the head of the receiving line (or wherever his position is), you're on your own." And that's the way it was.

At black tie functions, which were not quite so formal, it was a little bit different. But he's a great stickler for the niceties of the social life, and is cordial and very much on the ball when he appears at a public function. Well, you know that, what the heck.

Fry: Well, no, I don't. Because other people have said that he's a very informal westerner.

Lynn: Well, he's an informal westerner when it's an informal type of party. It depends entirely--if he goes to an Alfalfa dinner in Washington--now, the Alfalfa Club is a group you probably are thoroughly familiar with; their motto is "Alfalfa is a plant that sends its roots deep in search of moisture," so it's kind of a drinking club, see. So, this Alfalfa Club is something else, and it's pretty informal. It's just a bunch of guys that get together for a terrific party, ribbing party, mostly. It's a lot of fun and completely informal. But, if you go to the White House or you go to the British Embassy, or any embassy, it don't make any difference what it is, everybody is walking on their toes. He's very particular. "Now, you can't do that, Wally." He's always worried when I'm with him, that I'm going to do or say something that's going to be a little bit out of line. And I deliberately try to do just that, just to keep him annoyed. [Laughter]

Fry: Have you ever really managed to pull off anything?

Lynn: Oh sure, on occasion we have, but I can't think of anything specific. But I know there's been times when he's reprimanded me, "You shouldn't have said that. Of all the damned stupid things for you to do. What'd you do that for?" You know, I don't remember what it was now, but I know it's happened.

But never anything of any importance or anything serious. He's very meticulous with his behavior at times like that.

Fry: So that he's aware of protocol and is willing to follow it through?

Lynn: You betcha.

Fry: Somebody told me that Miss McHugh, his present secretary, used to be in a position in Washington where she was a specialist on protocol.

Lynn: She was. She has been in that position for quite a long time. She's an expert on protocol. She's the only one that I know well that really knows protocol. She knows it backwards. She knows exactly where everybody ought to be seated and--she sees to it that they're properly seated, too, believe me. She's wonderful. Do you know her?

Fry: Yes. I can see though, how a person like that in her position as secretary would be very helpful to a chief justice, especially one from the West.

VI OTHER FRIENDS OF WARREN'S
(Date of Interview: March 6, 1972)

Ben Swig, Hotelman

Fry: I understand that Ben Swig sort of came lately into his circle.

Lynn: He's done an awful lot for him, though. Ben Swig has been a wonderful friend to Warren and Mrs. Warren and he's done it completely unselfishly. He just really likes them. And it's a very unusual thing, but of course, I've known Ben a long time and he just thinks that there's nobody like Nina Warren.

Since Mrs. Swig passed away, he's been a pretty lonely man really. Mrs. Swig was very fond of Mrs. Warren but didn't know her too well, but she liked her, and Ben just literally adopted Warren. They stay in Ben's apartment there, you know, and he's acted as Warren's self-appointed financial advisor on a great many items. I don't think on anything of any major importance, but he's just been very, very careful and has just been real nice to him.

Fry: Swig has some interesting pictures, too, he was showing me. I think he and Adlai Stevenson and Earl Warren were out fishing, maybe was it Baja? Were you along?

Lynn: Yes. I've got some pictures upstairs of Adlai Stevenson and myself and Earl Warren on that boat. It was out here in the bay.

Fry: I was going to ask you if Adlai Stevenson ever came up to your ranch.

Lynn: No, he's never been there, but the day that we went out on this boat--Swig knew the local commander of Fort Mason and they had an

Lynn: army boat and we were going to go fishing. The United Nations meeting was on at the time, when Adlai Stevenson was here and the Chief Justice. And this was following the formation anniversary of the United Nations.

We went out for a day to fish, theoretically. There wasn't any fishing done. We just rode around in this army boat, you couldn't fish off of it, the thing was as high as this house and that's no way to fish. I like to fish. I have a couple of heavy coats here and I still have them, as a matter of fact, and I thought, "I'd better throw these in the car because I don't think these fellows realize how breezy it can get out there on that bay" (even though it was sunny and bright). So I brought them with me and took them on the boat, and when the picture was taken, Adlai had on one of my coats and the Chief Justice had on the other one.

Fry: And it swallows Adlai, too. The thing that I remember about the picture is that he is engulfed in that great coat.

Lynn: Yeah, that's right. It's kind of a fur coat. It's hanging right in the closet in there.

Fry: You were with him on so many occasions that I hardly know where and what to ask you about. It's as if I close my eyes and just put my finger on a spot, you've probably been there with him.

Lynn: Well, no. It's not really that many. We've been mostly at the ranch; we've been fishing in a number of places; we've flown to Nevada. We have great friends over in Elko and I have a ranch in Elko. And we had some great trips over there. Some great trips, just great.

Dr. Harry Gallagher, Nevada Fisherman

Fry: What do you do at Elko?

Lynn: Well, we have a cattle ranch. But, I remember one time, we were out with Dr. Harry Gallagher, who has a home in Elko, and he's a dentist there. And he had a fishing cabin out at this fish hatchery where they raise the fish and release them.

Lynn: We went out there and we camped in this old log cabin. We didn't have any electric lights; we didn't have any facilities. It was as rough as you could get it. There was the sheriff, who is still the sheriff, incidentally, of Elko County, and the Chief Justice was Chief Justice at that time. One morning just about daylight, there's a terrific roar in the road, a dirt road right outside the cabin, and I fell out of my bunk and out of my sleeping bag to look and see. It's the sheriff and he's landed his plane right on the road. (Oh, these guys are tremendous flyers over there!) He had a message for the Chief Justice. There was no telephone out there, so he had to bring it out in his airplane.

But we had some great times. Dr. Gallagher is the same age as the Chief Justice. And we've had some great times over there, just great.

Fry: What do you do?

Lynn: Fish. Trout fishing.

Fry: You told me in the first interview that the Chief Justice doesn't cast his flies very well. Is that what you said?

Lynn: Well, no, he's not an expert fly caster by any means. But he can catch fish. He does pretty good. He loves to eat them.

I made the deal on this trip--I was just thinking about it--we had this cabin and I told him, I said, "I'll cook. I'll do all the cooking if you fellows will wash the dishes." (We slept in sleeping bags; the cabin had pretty good beds.) So, that was the deal.

So we caught quite a lot of fish and we had other things of course. I got the breakfast. I made hotcakes and ham and eggs and trout. And then I'd go in and turn on the radio and listen to the news and let these two old guys wash the dishes, the Chief Justice and Dr. Gallagher. And they were having a great time as to who was to wash and who was to wipe. [Laughter]

But there's a character. That Gallagher you ought to talk to. Dr. Harry Gallagher, Elko, Nevada. He can tell you some great stories.

Fry: Is he a good story-teller?

Lynn: Great. Just great.

Fry: Does he ever get into the Bay Area?

Lynn: No he doesn't. He fell and broke his hip here a while back, and he's pretty much confined. He's eighty-one years old and walks with a cane. He doesn't get around too much, but he's a great guy.

[Insert]

VII WARREN AND BASEBALL

The Lynn System of Accounting

Fry: In this letter of November 12, 1963 to you, Earl Warren says, "I like the new Lynn system of accounting. It is prompt and efficient, comparable to the efficiency of the Dodgers in the World Series." What did he mean, the Lynn system of accounting?

Lynn: Whenever we made any trips, it didn't make any difference where we went--to Montana, Idaho, Texas, or down into Mexico--the Governor, and later Chief Justice, insisted on a full accounting of all the expenses. He wanted to pay his share. So, every trip that we ever made I was elected the cashier. I would pay the bills, and get copies of all the bills, and I had zerox copies made of all the bills, then I'd itemize them, and then divide them, and give him a complete statement and an accounting. That's what he has reference to in his letter, I guess. I don't know about the "new" system, I don't know what happened. There was nothing new about it because I realized if I didn't have everything detailed, that he would immediately start asking questions. [Laughter]

Fry: He goes on to say, "What a shocker." He must not have realized he spent that much.

Lynn: I think that the reference to the "efficiency of the Dodgers in the World Series"--I guess it means they lost. It would take a long time for McDermitt and the other Yankeephiles to recover from that one.

[End of Insert]



A MAJORITY OPINION ON BASEBALL BY THE CHIEF JUSTICE OF THE UNITED STATES

LIKE MILLIONS of Americans who became instantly and forever qualified as experts the moment they watched their first game, I am an expert at baseball. My credentials also include some sandlot, left-handed pitching and outfielding as a youngster and tossing out the ball at countless opening days of the Pacific Coast League. Finally, and most important, I love the game. These are my qualifications for extending greetings to the fans, the players, the coaches—yes, and to the umpires—at this great time of the year, the beginning of another season of baseball.

Sport is an important part of all our lives, and relaxation and a change of sights and sounds are important too. A baseball game is a wonderful way to get away for an hour or two, to get into another world for an afternoon or evening. Besides, it's a great game.

As one who has some familiarity with the role of umpire, I am reserving personal judgment on the outcome of the season just beginning. I want to see the evidence. This I propose to do at various intervals in Washington's Griffith Stadium. Manager Chuck Dressen reportedly has some good-looking rookies on hand, and there are a couple of California boys I want to watch. Until such evidence has been fully studied, I am withholding judgment. Meanwhile, however, I can speak for millions of us fans (all experts) and we are unanimous. Our order to baseball is: *Play ball!*

EARL WARREN



Salami and the FBI

Lynn: We got to New York. I went down to Washington and drove up to New York with the Chief Justice to attend the World Series. I had made reservations at the Essex House. We had the Presidential Suite. I knew the manager there, who was an Irishman; I've forgotten his name now. But anyway, we got the big suite. It had a parlor that looked like Grand Central Station. It had a big bar in it and a refrigerator. Everything was beautifully, just beautifully arranged. The bar and everything was enclosed behind closed doors so it didn't show up, but it was part of the living room.

When we got there I was always the official treasurer and I had to do the supplying. Instead of buying the liquor and the appetizers, we always got a lot of cheese and cold meats, because we'd go to the ball game and come back, then we'd have a drink and maybe a sandwich, and then go out to dinner. So, I had to go out to the delicatessen. We got there and Cavanaugh, McDermott, and "Banjo Eyes. (That's a judge there in Sacramento, Phil Wilkins; he's a federal judge now. We called him "Banjo" because he's got big eyes; he looks like a banjo.) were all there and they were about half crocked when we got there. They had been there for several hours. They weren't half crocked, they were twenty-five percent. So I had to go out to the delicatessen to buy the groceries.

The delicatessen is about two blocks from the Essex House. It's a pip. It was a big German delicatessen and their stuff was beautiful. I knew where it was, so I'd go out. I got what we needed: Scotch, Bourbon, charged water, and three or four kinds of cheese, three or four kinds of cold meat, pumpernickel bread, crackers, cookies, olives, pickles--the works. Really going first class. I never had bought that much stuff on any of our trips, but it was so beautiful, and I was so hungry, and I knew that we had such a beautiful set up in the hotel, I decided to go first class.

I got two great big armloads of stuff in my hands, and I'm coming back from the delicatessen, and I get to the corner where I'm going to turn down to the Essex House, and I've got two guys, one on each side of me, and they said, "Where are you going with those bundles?" [Pause] I replied they were kind of heavy and I said, "It's none of your damn business." They were plain clothesmen, you know, and I didn't know who they were. The guy whips it

Lynn: out and it's a security card, treasury agent on one side and FBI on the other, or something like that.

I said, "What's going on?"

They said, "Would you mind putting the packages down on the ground?"

I said, "Well, no. Yes sir." I put them down on the ground and they take everything out. They said, "Where are you going with all this stuff?" I said, "I'm going up to the hotel, to my hotel." [Laughter] He said, "What hotel are you in?" I said, "Again, that's none of your business." They said, "We'll have to know. Do you have any identification?" I gave them my card and they said, "Are you with somebody?" I said, "Yes, I am. I'm with the Chief Justice of the United States, Earl Warren." This guy's jaw dropped about a foot. (His name was Will Moore, he's now the treasury agent in Seattle.) And I said Bart Cavanaugh, who's city manager of Sacramento, Phil Wilkins is superior court judge, Jack McDermott is in the glass business," and so on. He said, "What are you going to do with all these groceries?" I said, "Well, we're going to eat them, of course. What do you think we're going to do with them?" And I said, "Now, I've got a couple of questions for you. What's going on?"

He said, "This entire area is sealed off, and you'll run into men on every corner. I'd better go with you to see if you're telling me the truth. I know the Chief Justice." Every corner there were two guys. They had every corner stationed off.

I said, "What's going on?"

He said, "Mr. Kruschev is coming into town in about an hour. He's going to be staying at the Plaza Hotel." It was just down the street one block or so from the Essex House; they're in the same block, and it was all sealed off, top security.

So, Moore helped me carry one of the bundles, as a matter of fact, and he came up to the room. He stayed, had a--he didn't have a drink. He had to go back--I said, "Now, do you believe it?" After that, then he was out here. Now he's the treasury agent in charge of Seattle. We're very good friends now, but that's how I met the guy and how I got stopped. That's on that baseball deal.

Fry: [Laughter] He must have had trouble believing that the Chief Justice was taking his meals in his hotel room.

Lynn: I should tell you another story on that same thing that you wouldn't believe. The second night, they played two games--no, the first night, after the first game (the Yankees were playing the Dodgers I think) we got back to the hotel. Bart Cavanaugh's sister is that very wealthy Mrs. Swanson up in Sacramento. She's a multimillionairess. Her husband had died. Cavanaugh is her brother and she had given him a Silver Cloud Rolls Royce for his birthday. She had that kind of money. Every year, when we'd go on these baseball parties, she sent him a check (she was very fond of Earl Warren) to "please take our dear Chief Justice out to dinner on me." The check was always for two hundred dollars, which was enough, in those days, to cover a pretty fair dinner.

We'd go down to Toots Shor's and, of course, that was it. There was always enough left over to maybe have two dinners. But this particular year, John Daly was going to join us. He had a television program, "What's my line." Cavanaugh had told her that Daly was going to join us, so she sends a check for the dinner and she adds one dollar. The check is for $201 and then a little postscript, "I added the one dollar so that you can take John Daly with you." [Laughter] One buck. It developed she didn't care much for "What's my line," so she just couldn't give more than one buck for John Daly's dinner. That's a true story.

Warren Caught Red-robed

Lynn: Then, another thing that happened. (You see, all this is coming back to me now.) The CJ had been over that spring to Dublin, to the University of Dublin in Ireland. They had conferred an honorary degree on him. As part of the degree he got a red velvet robe--tremendous thing--and a red velvet cape and a hood and hat and the whole thing.

So that night we're having a few drinks, getting ready to go out to dinner, and Cavanaugh and Wilkins were ribbing the CJ about his trip to Dublin. The CJ made the statement that there were more Warrens in the Dublin phone book than there were Cavanaughs. They got a bet going. The CJ got a special grip that I didn't know about, brought it to his room, and he's got the Dublin phone book from Dublin in it. And, by golly, there's more Warrens in the Dublin phone book by about ten then there are Cavanaughs. [Laughter]

Fry: You mean he had counted these and brought the phone book along?

Lynn: He counted them and brought them along for this special thing and never told anybody about it until he whipped it out.

But, when he comes in with the--and this is priceless, I wish I had a picture of it--he goes in to get the phone book, and when he comes back out and he's got his robes on, the big red robe. (Talk about his sense of humor!) He's all gussied up with this thing and he's got the phone book.

Just at that time the bell rings on the entrance to our suite and Jack McDermott opens the door, and there's the manager of the hotel and the two assistant managers. And here's the Chief Justice of the United States in this red robe. This guy comes in (and he's an Irishman) and he takes a quick look and he says,

"Uh, Uh, I'd like to have you meet Mr., er, the Chief Justice." (He can't believe it, see.) [Laughter]

The Chief Justice was really sore. He said, "Jeeze, why the hell did you open that door?" [Laughter] We didn't know who it was, and we didn't know that he was coming out with this robe on. That actually happened. Bart Cavanaugh will tell you, and Phil Wilkins. Jack and I just roared. Boy, there he was, all gussied up with the Dublin telephone book in his hand. [Laughter]

Fry: Was he carrying it solemnly like a bible?

Lynn: Yes. He was going to prove--he'd made a five dollar bet with Bart Cavanaugh that there's more Warrens in the phone book than there is Cavanaughs, and he's coming out with the book to prove it, and while he was in the bedroom, he just slipped on his robe, and there he is. And then the bell rings and the manager of the hotel appears.

Elsie: I'll bet he hasn't forgotten it yet!

Lynn: Oh, god no. That's one, if you could put that on film and just see the look on his face when we opened the front door! It was opened so quick. If he had said, "Don't open it," we probably wouldn't have opened it, but there they were. They had a waiter too, I think, with a big basket of fruit and a couple bottles of booze or something. [Laughter] Oh boy, that was something else.

The Scalper

Fry: Did you ever have trouble getting tickets?

Lynn: No, but we were in Cincinnati one time for the World Series and that night went out to a beer garden (a restaurant--they call them beer gardens in Cincinnati). It was a cold night, and the whole crowd got up when we walked in, and they started beating on the tables when they saw the Chief Justice. It was one of the greatest ovations that I've ever seen in my life. They really just tore the house down.

In this particular place, the way they serve beer in Cincinnati--have you ever been there?

Fry: No.

Lynn: In these beer gardens (and the town is full of them, it's more of a beer town even than Milwaukee) the beer is great. They serve great big pitchers on your table and they just keep bringing them. You don't order it. There'd be about maybe a gallon or a gallon and a half of beer, big goblets, and you just keep pouring it. As soon as the thing gets down about to there, the waiter comes with a fresh one.

Fry: That's the bottomless goblet of beer.

Lynn: Yes, just no limit to the beer.

While we were there, a guy came up to me and got me to one side somehow or other. He wanted to know if we had any extra tickets to the world series. It just so happened that I did. Del Webb, who is the owner of the Yankees, had gotten tickets for me. Instead of having six we had seven, or something. I had an extra ticket, anyway. I asked him his name and he told me. He said he was just dying to go to the world series.

He look liked a pretty plain guy, but our tickets were for seats all together. I didn't want to give a ticket to anybody that wasn't right. So I talked to the Chief and he said, "Sure, he looks all right," introduced him, and I sold this guy the ticket for twenty bucks, or whatever it cost.

The next day, when we get into the ball park, the guy that I had sold the ticket to didn't show, but another fellow came in and sat down. I told him (I was on the end, and this guy was

Lynn: next to me on the right, and we had CJ in the middle), "This seat is occupied."

He said, "Well, I've got the ticket for this seat."

I said, "Where did you get it?"

He said, "I bought it from a fellow in the lobby of the hotel."

I said, "You bought it? How much did you pay for it?"

He said, "Why do you ask?"

I said, "I had that seat and I sold it to a fellow that said he was dying to see the ball game. I sold it to him for exactly the regular price."

He said, "I paid him seventy-five dollars for the seat because he told me that I'd be sitting in the same row as the Chief Justice."

Here I'd sold the seat for twenty bucks to this guy on this great plea that he wanted to see the ball game, and he had sold the seat to this other monkey! There wasn't much I could do about that then, but that night I went down in the lobby for something and lo and behold I run into the original guy that I had sold the ticket to for twenty dollars. He was a moocher. He was just going around mooching tickets and scalping them. I got the house detective (I didn't want to tackle him by myself) and we went over and picked him up. I said,

"Look, you really gave us the business on that ticket, didn't you."

He said, "What're you talking about?" So I told him. He said, "Not <u>me</u>."

I said, "Hah, I know you did, because I have the man's name and address and he's here in the hotel. Do you want me to identify him?"

"Well, no. Can't we square this off?"

I said, "Yes, you can square it off--right now. You just give me the seventy-five dollars that you sold the ticket for."

Lynn: He said, "I haven't got it."

I said, "Then you're in trouble because you'll be arrested." And he came out with the seventy-five bucks. So, I got the money, and we turned him loose. There wasn't much else we could do.

But when I got back up to the room and told the Chief about it, boy, he was really disturbed. He said, "Wally, you shouldn't have done that. You shouldn't have taken that money."

I said, "Well, by golly, he got it illegitimately and as long as I'm the cashier, I'll take care of it." And that was the end of that. But that was just another little anecdote of things that happened while we were on the trip.

Fry: You were really exploited.

Lynn: Yes, he really gave us the business.

They make a little hot dog in Cincinnati; it's the only place I've ever seen them. It's a little, short, white thing, looks like a Bavarian sausage. Instead of here, where they serve a hot dog on a long bun, they have a little round bun and these little round sausages in them, and they are absolutely delicious. The Cincinnati ballpark is the only place they serve them. I know we ate a lot of those at the ball game. We'd go out there, get up and have a late breakfast, and then as soon as the game started we'd be hungry again. I talked to Earl about that a lot of times; we wondered where else we could get those sausages. The only place they make them, and the only place that I know they sell them, is in that Cincinnati ball park. I don't know what they call them.

Fry: If you could get them started here, it might resolve the problems of attendance at Candlestick Park here in San Francisco.

Lynn: It might help. But I think our ball park here is doomed now. I don't think our team is going to last it out.

Warren on the Mound

Lynn: When Warren was governor we talked him into some kind of an appearance in a charity baseball game of, I don't know what it was now, but Cavanaugh was city manager of Sacramento and Warren was governor. They were on opposing teams. Warren is a southpaw, he's a left-handed pitcher. They get out there, a lot of hurrah and hoopla, Cavanaugh gets up to bat, Warren lets go with a fast one and hit him right in the tokus. First pitch--hit him--boom! [Laughter] Cavanaugh wouldn't let him throw another one; he said, "No more." But that's a true story, also. He hit him, he hit him with the first pitch. Ask Cavanaugh for a confirmation. [Laughter]

Fry: What kind of baseball did you use to play? Was it college baseball, or were you--

Lynn: I'd say college baseball. I tried out for the Chicago Whitesox on their spring farm basis. I don't know why, I always thought I was good enough; but they didn't think so, I guess. [Laughter] I was there about a week, I think, was all. But I met a lot of baseball players at the time, and I was always interested in the game. When I came back out here, I always had a bunch of ball players up at the ranch, Lefty O'Doul, Sammy Borne, Charlie Graham, a lot of them. Gene Valla--Paul Fagan owned the Seals at that time. Remember Paul Fagan?

Fry: Yes.

Lynn: Charlie Graham was the manager, Lefty O'Doul was, of course, on the team. I used to have them up to the duck club, up to the ranch to shoot ducks.

Fry: Was that in the forties?

Lynn: Yes.

Fry: Where did you go to college?

Lynn: University of Texas at Austin.

[End of Insert]

VIII DECISIONS OF THE WARREN COURT

Fry: There's one question, sort of the sixty-four dollar question, that I have to ask everybody: Do you think that Earl Warren changed in his outlook from a California conservative to a liberal on the Supreme Court?

Lynn: No. I don't think he changed one cock-eyed bit. I think he was always--I think the tag of "liberal" was hung on him for political reasons only. He has never changed his thinking. He's been thinking along the same lines as long as I've known him. No. No change. I don't think he's any more liberal than he ever was, although they accused him of it.

But this goes back to when he was governor, you know, and this socialized medicine tag was hung on him. And prior to that, his attitude towards crime and his attitude toward the gamblers off the coast, and all the things; it's all consistent.

There's nothing inconsistent or changeable in his thinking, or in his makeup. He's always had certain pretty well-defined lines and, actually, pretty much follows his interpretation of the Constitution of the United States. And the Bill of Rights--that's his bible, that all men are created equal, regardless of race, religion; freedom of speech--all those things. I think those are things, whether you're conservative, or liberal, or whatever tag they want to hang on you--it depends, largely, on your interpretation. But he's never changed. I don't think he's more liberal, or more conservative.

I asked him a question one time, "Did you ever make a decision on the Supreme Court that you were sorry for afterward?"

And he said, "Yes, two."

Lynn: And I said, "What were they?"

He said, "I'm not going to tell you." [Laughter] And he hasn't.

Fry: I feel just as deflated now as you must have been then! He did say two?

Lynn: Yes.

Fry: Well, that should make future scholars ponder.

Lynn: Well, now you can build a fire under him. Next time you see him, you just say, "Mr. Lynn said that you made two decisions while you were on the Court that you were sorry for, but you wouldn't tell him what they were." And then he'll hit the roof!

Do you know what he'll say? He'll say, "I never told him anything of the kind." [Laughter]

Fry: Then he'll call you and say, "Now, you shouldn't have told her that."

Lynn: That's right. That's exactly what he'll say. I haven't read all of his decisions, but I felt that the General Motors decision and the DuPont deal--I represented the DuPont Company out here for twenty-five years--

Fry: Oh, in the hardware--?

Lynn: Yes, in the paint division, and I had great admiration and respect for the ability of the DuPont Company, and their integrity, which was unquestioned. Anything that affected them, I felt, was a personal challenge. So, I really climbed right on him, on that one. Then, I found, to my dismay, that they hadn't decided against the DuPont Company at all, although everybody had said that they had. When I read the decision, all they did was send the thing back to the lower courts for a review. So, he didn't make a ruling against them.

As far as the mistakes that he said he made, he may have been kidding me on that, too, you know. But I think he did say at one time that there was one that, if he had to do over, he would have reversed himself on it. He never did tell me what it was.

Fry: Do you think that his outlook on law and order, and the rights of the defendant, changed any from the time that he was attorney general or district attorney, to the time of the Miranda decision?

Lynn: Well, I don't know. I couldn't answer that.

Fry: This is a little bit out of your field, I realize that.

Lynn: I personally don't think so because I know what his thinking has been on that very subject. He's always felt that you're definitely innocent until you're proven guilty, and that you have the right to an attorney, and that you have the right to silence until you're called on by a judge.

Fry: How do you personally rank Warren on a a continuum of general conservative to general liberal? How have you always thought about him?

Lynn: Well, I have always considered him middle-of-the-road. I certainly have never considered him as an extreme liberal, as a lot of people do, and I know that he's certainly not completely to the right, but I definitely would peg him as a middle-of-the-roader, able to see the good and bad points on both sides.

I think that's what makes him such a great judge. I've tried to pattern my own thinking along those lines, from my contact with him. I'm a Republican and fairly conservative, I think, on my attitude on most things. But, as he so often says, "No matter how thin you slice it, it's always got two sides." And you've just got to have the ability to listen and see both of them, and try, if you can, to not only see both sides, but to understand both sides.

When you can do that I think you've got a pretty good balance. I think that's what he does.

IX FAMILY

To Church with Queen Elizabeth

Fry: He's bound to have some sort of underlying precepts that he carried along with him, and I wonder what these would spring from? Did he have a fairly strong religious upbringing, or was it an ethical sense that developed when he got to college and thereafter?

Lynn: I don't know too much about his early boyhood. I know his father worked for the railroad, down there, and his father was brutally murdered.

Fry: Did you know him at the time that his father was murdered?

Lynn: No, no, I met him much later. I don't think, from what I know of him, that he is too religious. I mean, I think he can take it or leave it. I think he's a religious man in his respect for religion, but I don't think that he's--and I don't even know, and I've never asked him--if he was a member of any church. I think he's a Presbyterian, but I'm not sure. And I could be wrong on that, too.

Fry: What about Nina Warren, his wife? Is she a deeply religious person, in the sense of an organized religion?

Lynn: No, not deeply religious. I think she's moderately religious, I think, as most people are, within bounds. They don't go to church regularly, and I don't think they have any church affiliation that I know of.

I've been to church with them a couple of times. We went to that Red Mass, there in Washington at the Hilton, a couple of times. We went to church one time with President Kennedy, and

Lynn: went to church with the Johnsons, but I don't know what the occasion was, to tell you the truth.

Oh, the biggest thrill I've ever had was when we went to church--and I don't know what the deal was--with Queen Elizabeth and her husband, and I sat next to the Prince. (Everybody in the church wondered who the heck I was.) Prince Phillip and I were sitting next to one another, and I never knew how that happened. The Chief Justice and Mrs. Warren, and Queen Elizabeth and the Kennedys were in front of us.

I happened to be a house guest of the Warrens. This deal was on a Sunday morning, and he said, "We're going to church tomorrow."

And I said, "Great. Which one?"

He said, "They're having a special service for the Queen." What church was it that they belonged to? It's Episcopalian, I think.

Well anyway, we got there. Of course, he had the big black limousine and the chauffeur with the number 10 on his license. We pulled up, and there were the guards and the FBI and everybody, and we have to make our appearance before the nobility arrives. And they take the chief down the aisle. Apparently this is done by strict protocol. Maybe Margaret McHugh arranged it, I don't know. Anyway, I get the end seat in this pew. The church is packed, everybody is looking, and here I am.

The Chief Justice is down here with other people--but not many--in this section that's reserved. And I'm the only one in this pew, by myself. Imagine how I felt.

Then in comes the royal party, and there's a lot of shuffling and bowing and scraping, and this big tall guy comes in and sits down beside me. I was wondering what did he say his name was?--Phillip something or other? I didn't know he was the boss man. There I was. I guess he wonders yet who the hell I was. [Laughter]

Fry: So I gather that they did have their special occasions that they went to church for.

Warren's Sons

Fry: I might ask you if his sons were as avid about the hunting and the fishing as he was.

Lynn: Oh, you bet. Both of them. Earl, Jr., the judge, brings his three boys over to my ranch every Sunday. Still does. They come over there--they bring their dogs. They've got two dogs and three kids. He has his divorce now you know, and he has partial custody of the kids, and they're over there every Sunday. I've given them the ranch, carte blanche. I just told him, "Get those kids out of Sacramento."

I have the jeeps there and they love to ride in the jeeps. So, he takes Fuzz and Russ and the little guy and they go over there. He's there every Sunday if the weather's decent.

Fry: That must mean an awful lot to him.

Lynn: Well, he loves to hunt and Bobby is the same way. They're both great guys. Jim doesn't like to hunt particularly. See, Jim is Mrs. Warren's son. Jim likes to hunt, but he's not the hunter that Bobby and Earl are. They just love it.

Fry: Jim wasn't along on your hunting trips as much as--?

Lynn: No, he's been there quite often, but not as much as Bobby and Earl. Bobby and Earl were there as often as they could make it. Earl, Jr., as a rule, comes over every Sunday after the shoot--he brings his kids and his dogs--I gave him a Labrador and he's got a beautifully trained dog--and he comes over there and they chase the cripples and pick up the limit of ducks.

I just sent a limit of ducks to the Chief Justice last week.

Fry: You mean that you shipped them all the way to Washington?

Lynn: Well, I take them down to United Airlines. As a matter of fact, I was going to call him and see if he got them. Do you have any questions you want to ask him? [Laughter]

Fry: Yes. When will he be out here?

Lynn: [Calling Mr. Warren on the telephone] Mrs. Fry is here and she wanted to know if you have a sense of humor. So I told her the milkman story, and I told her that I didn't know if you liked it, but you sure laughed a lot. [Much W.L. laughter]-- No, I didn't tell her, but I probably will one of these days. [Tape off]

[Resuming the interview] A week from Wednesday he goes to Geneva; he's coming here on the tenth.

He can go to sleep immediately any place; in a car, on a plane, on a boat; and he can just turn it off and turn it on like nobody I have ever seen.

Fry: Even in a limousine?

Lynn: He puts the seatbelt on, and then he grabs a hold of that strap and hangs on. We got into New York one time, we were at the Essex House, and he had enough work with him to last a week. Of course this is when he was Chief Justice. He said, "Wally, I'll have to apologize to you because I just won't be very entertaining. I've got to work." He had a special light in the desk in the back that he could pull out to work. So he said, "If you don't mind, you just get over in the corner and take a nap, and I'm going to work." And I said to myself, "That'll be the day."

So we had dinner and we started out of New York, driving back to Washington, which is a pretty long drive you know, and he's got the light on over his desk and he's got this big satchel between us and all his papers laid out, and Gene (Do you know Gene, his driver?) is driving very carefully. (He's got the limousine with the glass between us and the driver.) So, I got over in the corner--I'm not a good sleeper in the car, but I'm halfway asleep--and pretty soon I hear [making snoring noises] and I look over, and we hadn't been gone ten minutes and here's this guy with his head bobbing around like this. And I thought to myself, "There's going to be a lot of work done tonight." [Laughter]

He never budged. We went clear to Washington and he never woke up. He just slept all the way. We get about twenty minutes out of Washington, and he's wide awake and chipper and fine, "Well, Wally, did you have a good sleep?" And I said, "Yeah, I slept all the way down, Earl. Did you get a lot of work done?" [Laughter] And he says, "Well, I might have dozed off myself, for a little while." He'd slept all the way! [More laughter]

Nina Warren

Fry: I'd love to be on that plane next week and talk with Mrs. Warren.

Lynn: Well, you'll find her just perfectly delightful. Just really delightful. She's a great gal, and just absolutely wonderful. She's a fantastic cook and a great homemaker. She's such a busybody. When I'm at the house, you know, she presses all of his clothes. She's got a presser and I've never seen anything like it. It's a steam presser, but it's for home use. It must have cost a couple or three hundred dollars. When I stay there--and this is always embarrassing to me--every day I take a shower and change my underwear and shirts and put it in a laundry bag, and every night it's all washed and ironed and laid out on the bed, every single day. She does it personally. And I mean beautifully. You never saw such a thing. She loves it. And every morning, I don't care if we're out until three o'clock in the morning--and on occasions we have been out til two or so, and I'm always a very early riser--and I get up and tippy-toe to the kitchen to get a glass of orange juice, and she's always there. I've never yet gone into that kitchen at five-thirty or six o'clock or six-thirty in the morning, that she wasn't already there. The orange juice is all squeezed. They drink just fresh orange juice--she squeezes it.

Fry: That's not easy in Washington.

Lynn: Some friends of theirs put them in touch with a shipper and they get them from Florida. They're Florida oranges and they're thin skinned and they are beautiful. They buy them by the case and they're just beautiful.

Fry: Well, then those stories about her domesticity are really true.

Lynn: Absolutely. Absolutely. And every Sunday they have the same menu, every Saturday and Friday night, the same menu. She makes the greatest oyster stew that I've ever tasted. On Sundays they never have breakfast until about eleven-thirty in the morning. And that consists of a steak, a filet mignon, honest to gosh, it's that thick. Beautiful steak and hash brown potatoes and fried eggs, if you want them; just a terrific brunch, and that's it for the day except for this big oyster stew for the night. Nobody can make an oyster stew like Nina Warren. I've tried to. I got her recipe and I still can't do any good with it.

Lynn: You get it because it is just fantastic. Unbelievably good. She frizzles the oysters in some kind of a double broiler deal, she cooks them until the edges start to turn. But she uses Campbell's frozen oyster stew in addition to the other oysters, then she adds a little bit of milk and salt and pepper and seasoning of some kind--I don't know--a little bit of garlic, maybe. I've forgotten now, but it is just so great. And she puts in a lot of oysters. Of course, they get beautiful oysters in Washington. They have the small little bluepoints and they're great.

She sends them out to me quite often, and when they come out she'll always bring a couple of quarts of oysters.

I send them shrimp and crab from here. You see, I put them on the United Airlines flight in the morning and they get them at night. I take them down to United. She said [over the phone] she just got the shrimp and ducks. I give them to the pilots, you see, because the head chef for United in Washington, Gerber, is a good friend of the Warrens; he knows them. The head chef here is Johnny Wolfheimer, so I've worked out a deal: they're putting food on the flight to Washington, anyways, so I get a small package of these shrimp or crab or whatever it is, put them in dry ice, and then they go on with the food--only this package is marked 'Chief Justice Warren' in the pilot's compartment. It's not with the idea of avoiding any charges, it's with the thought that it's fresh and they get it today. In fact, it leaves here at nine, and they get it at five in time for dinner.

We do that, not every day of course, but quite frequently. That's how I just sent the ducks and the shrimp.

Fry: That's my idea of the good life, getting oysters from the East and crabs from the West.

Lynn: That's the way to go.

Fry: I was wondering--you meet him at the airport now when he comes out. Is there any difference in the way you meet him now and the way he had to be met when he was the Chief Justice?

Lynn: No difference at all. I meet him just the same. He generally phones me the night before he leaves and gives me his flight number, then I just meet him and that's all there is to it.

Lynn: When he was Chief Justice and during the period of extreme publicity, and all of the troubles of the John Birchers and all, on every departure that he made, the security agents were notified, the FBI, and they always were there at the airport. That's how I happened to meet all these treasury guys. But there wasn't any way we could get around it because the President would order it if he was on an official trip. I don't know how these things get out, but the airlines always knew when he was going (that is when he was Chief Justice) and everybody is notified so that there was always one or two FBI guys and one or two treasury agents at the plane. But I've met him many, many times before and after that period and nobody was ever there.

X WARREN AND THE PRESIDENTS

John Kennedy

Fry: Did the Kennedy assassination investigation seem to be hard on Warren?

Lynn: Oh, it was. It was terrible. It was just awful, as a matter of fact. He was very close to President Kennedy, very close. And the assassination was sort of a blow to him. He thought that Kennedy had the chance to be the greatest President we've ever had. It was just awful.

[Interruption]

They were very close. As a matter of fact, one time I was visiting there in Washington, and we were watching TV on a late Sunday afternoon, a golf game or something or football game, and the doorbell rang and here was President Kennedy himself, who had come to the apartment with his secret service men--two of them--he was driving by and just decided to bounce in, unannounced. That was Kennedy. They were very close and he had tremendous regard and respect for the Chief Justice.

Kennedy's death was such a blow to him. He just could hardly contain himself. He was asked to deliver the eulogy, which he did--I guess you've read that and seen that. Of course, everybody in Washington knew about John Kennedy's great regard for him. So that when they asked him to head up this investigation, it was with two thoughts I think: first of all, being so friendly, he was going to leave no stone unturned and so the testimony and the investigation covered twenty-eight volumes. I've got them all and he autographed them, a complete set of all the testimony. So, that was that. But it was a terrible blow to Warren.

Fry: Did he feel that his integrity had been impugned afterwards when some groups felt that the investigation had not probed enough into the conspiracy angle?

Lynn: That didn't concern him one bit. I've talked to him a lot about that, and it still is open. That screwball down there in New Orleans that challenged it and all that, well now he's in jail. He turned out to be a real phony. That didn't bother the Chief Justice, it never concerned him a bit. He said, "If anybody can come up with any shred of evidence, we will check it out immediately. All they've got to do is lay it on the line."

There was never any question about it. He was so thorough in the investigation in Dallas and all through the whole procedure, that this was really something.

Fry: Well, after so many volumes of testimony, it's hard to conceive how much could have been left out.

Lynn: There wasn't anything left out. And if there is, even now, it would still be open to investigation. I know that Oswald's connections have been thoroughly probed and there always will be a question, there always will be some questions unanswered, that's for sure. They didn't get all the answers. (They got most of them, though.)

[Insert]

Lynn: My main point is that this man, Warren, was such a great man that you don't often meet men of that stature and that capability. I meet a lot of fairly sizeable guys as I go around, including a number of presidents. The only other man that had the sense of humor and the great capability and the great vision, and the great courage, that I've met, would be John Kennedy. He was great. He was like me in one sense: he thought Earl Warren was the greatest guy that ever lived.

Fry: Would you like to tell me how you happened to sit with the justices at Kennedy's inauguration?

Lynn: I was invited to the inauguration ceremony, got back to Washington, stayed with the Chief Justice and Mrs. Warren at their apartment. The Chief Justice had made arrangements for me to go to the inauguration and to sit in the area occupied by the Court, and that's

Lynn: where I went. One of the justices picked me up (I don't remember who it was now) and we got out to the inauguration place. It had snowed during the night or during the morning. It wasn't snowing when we got there, but the snow was about six to eight inches deep on the benches, and they were open benches. The ushers, or the caretakers, were supposed to have swept it off, but they didn't. So we stood around, and finally pushed the snow off, and I guess we got some newspapers or a lot of programs (they were handing out programs) and I think we sat on those to keep from getting wet. That's how I saw the inauguration.

The actual swearing-in took place on the capitol steps where they always do it and from there we moved to view the parade to some boxes that had been erected on Pennsylvania Avenue, or some place right in front of the White House. I went over there with the Court, too; the Court moved as a block over to this place. Then after that I don't know whether we went back to the apartment. I think we went back to the apartment, got dressed and went to the Inaugural Ball, as I recall. I don't remember now exactly what did happen.

Fry: I wish you would record your story about Kennedy and--was it at the Alfalfa Dinner?--to show how Kennedy felt about Earl Warren and also Warren about Kennedy.

Lynn: President Kennedy and the Chief Justice developed a great, personal, intimate friendship. How it began I don't know, but I do know that the President called him frequently, and that on every occasion when they would meet he was very, not only courteous, but respectful, and extremely friendly. In no uncertain terms he had announced himself that he was very much the friend of Earl Warren. I don't think he could have been any more demonstrative than he was. He just liked him and made no bones about it.

At the Gridiron Dinner, or at the Alfalfa Dinner, at any formal dinner that we ever attended, he always had the Chief Justice on his left and the Vice-President on his right. That was not always the case with other presidents.

Fry: You were telling me off the tape how Earl Warren felt about Kennedy.

Lynn: He just thought he was great. He thought he was just a terrific young man who had great courage and great vision and great ability. He just had tremendous confidence in him. It was a kind of a

Lynn: strange thing, too, because Earl Warren is a Protestant, he's a Republican, he's a top Mason (he was the head of the Masonic Order here in California, thirty-third degree Mason). Kennedy on the contrary was a devout Catholic, Catholic background, Knights of Columbus, Democrat. So that there was no political or religious connection; just a mutual respect man for man, and a recognition of qualities in both of them that just seemed to mesh.

To me, it was really something, because I knew the different backgrounds. Warren came from an extremely poor financial background, Kennedy had millions. So there was nothing except just their mutual respect for the other's knowledge and ability. There was mutual admiration, mutual regard. Mrs. Warren would tell you the same thing. He was just great.

Dwight D. Eisenhower

Fry: You said you also had attended occasions at the White House with Presidents Eisenhower and Johnson.

Lynn: All four of them. I went to the White House for dinners and other occasions with President Eisenhower, President Kennedy, President Johnson, and President Nixon.

Fry: The big question mark is Eisenhower and how he felt about Earl Warren.

Lynn: He appointed him to the Supreme Court and later, I understand, (and I've heard this quoted a number of times) he said that it was the "biggest damn fool mistake" he ever made. I've heard that he said that. Why, I don't know, except that Eisenhower was a strictly Pentagon, strictly Army, man of impeccable character. He was just great, very strong man, but a very conservative, right-wing Republican. Extremely conservative. And very capable, no question about it. He just didn't agree with some of the interpretations that Warren put on the Constitution. I think after a couple of the cases came out--Eisenhower was not, I don't think you'd call him a racist exactly, but he didn't like the one-man, one-vote principle. He just didn't agree with Warren and Warren's philosophies.

Fry: Are you talking about one-man, one-vote or the Brown vs. Board of Education decision?

Lynn: Both. He didn't agree with anything that Warren did. After a certain point had passed--now whether that was the Nixon influence on Eisenhower, whether Nixon told Eisenhower things, or whether it was the combination of Nixon and Eisenhower talking I don't know. Neither did Earl. But the whole atmosphere changed and it wasn't the same as it was in the beginning.

In the beginning Eisenhower was very friendly. I went to dinner twice in the White House. The first time was shortly after Eisenhower was inaugurated and he couldn't have been more friendly. Mrs. Eisenhower, Mamie Eisenhower, and the President were just great. Shortly after that, several months later, I don't know what happened, but there was a change in the Eisenhower attitude. Then after a couple of decisions--

Fry: You mean the Eisenhower attitude toward Warren?

Lynn: Yes, and he wasn't very friendly. He seemed to think that Warren was too far to the left, that was his feeling.

Fry: Did he impart this to Warren? Did Warren seem to know about this?

Lynn: I don't think so. Well, he could feel it, I think. I don't know whether he knew about it or not, I never asked him. But I know it came out in the papers, that Eisenhower had made this statement. Whether that's true or not, I don't know. It's in a number of books, I've read it a number of times that he said his appointment of Warren was the biggest mistake. A Time magazine interview had it and others.

Fry: Did Warren ever mention to you of a cooling off of Eisenhower?

Lynn: No, we never discussed it.

Fry: I wondered if he was aware of it, or felt it.

Lynn: He felt it, sure, he knew it; but we never discussed it.

Lyndon Johnson was great to Earl Warren, very nice to him. He had great respect for him. Harry Truman put him on the board at the Truman library and he still is--or was, until his death. He went out to see Truman every year, never missed a year to stop in and see President Truman. He thought he was outstanding.

Lynn: Warren seemed to be pretty popular with the Democratic presidents, Truman, Johnson, Kennedy, and unpopular with the Republican presidents. I think it was largely the Nixon influence myself.

Richard M. Nixon

Lynn: Nixon was just absolutely power mad, that's all. He was politically ambitious to the point that he was completely unscrupulous. Didn't make a bit of difference who got in the way, he knew what he wanted, for himself, period. He started as a grocery clerk and wound up worth ten million dollars, and you just don't do that by saving ten percent of your congressional or presidential salary. He went after it. He wanted power and money and one way or another he got it, until he finally overplayed his hand.

He didn't do it himself. I actually don't think that Nixon knew anything about this Watergate break-in until after it had happened, but he had appointed these guys.

Fry: He knew what kind of guys these were.

Lynn: Yes, he knew the kind of fellows he had, and he knew what they were supposed to do, and they knew it, too. It was the idea of, "Go out and get that job done and don't tell me how you did it, just get it done." He felt that he just had to protect them to a certain extent. But he went too far, and set a new page in American history in doing it.

I felt sorry for him in a way. I would feel sorry for anybody who has such a tremendous traumatic experience. But on the other hand he had it coming to him for the last ten years; it was just a matter of when he got it.

Fry: When you went to the Nixon White House for dinner with Earl Warren, when was that, about. Do you know? Let's go look on the invitation and see.

Lynn: I don't know if we've got the date on that one. It has been too long ago--

[Hiatus]

Fry: Here's the program and it says January 25th, 1968. It was a dinner in honor of the Vice President, the Speaker, and the Chief Justice. The entertainment was Carol Channing and Gordon McCrae, Broadway stars.

Nixon gave a party for him on his eightieth birthday, too.

Lynn: Yes, celebrated his eightieth birthday. I went back for that. That was in the White House.

Fry: What can you tell us to describe their relationship as it was shown at these two events, the 1968 dinner, which was in the Chief Justice's honor, and then the recent one at the Chief Justice's eightieth birthday.

Lynn: To describe their relationship?

Fry: Yes, to describe how they interacted socially, if they did.

Lynn: There's always, with all politicians, a great feeling of warmth, "How are you?" "Great to see you!" "You're looking well!" and all that old malarkey. To be a good politician, you know this yourself, you've got to put on that great, suave attitude, no matter what you're thinking. You might think you'd like to cut his throat, but you don't say that, and you don't look that, and you don't even indicate that, except to a few, probably very close, personal friends.

They were both very gracious, and the President proposed a toast at that particular time. My dinner companion was Justice Abe Fortas' wife. She's a lawyer. She's a tremendous gal. Do you know her? She is something else. She is really something else. They were toasting each other and she had no illusions about any of it. She was making comments, "What a lot of so-and-so this is," (and she's a very outspoken gal). The thing that I got a kick out of at that party is that they always split up the couples; nobody ever sits with his own wife. My wife wasn't there; I was a stag at this eightieth birthday. The thing I got the big kick out of was that, in sitting with Mrs. Fortas, at the conclusion of the dinner, she had a perfectly beautiful evening dress and beautiful embroidered evening bag, and she reaches in this bag and came out with a big black cigar as long as that thing.

Fry: [Laughter] And she smoked it?

Lynn: She smokes cigars, and always has. I had never seen--I'm a country boy, really, at heart. In my unsophistication I have never seen a woman who smokes a cigar, or a pipe. So she pulls out this cigar, and of course I reach for a match and I held the match and she puffs away on a cigar and we're really, really talking it up. I don't smoke, and here she is, this lovely lady, sitting there smoking a cigar as long as your arm. [Laughter]

I told Mrs. Warren about it, and she said, "Yes, isn't that something, isn't she something."

I said, "You said it, she's really something." And she smoked it, too, she didn't chew it. She smoked it delicately, but she was really puffing away.

But as far as Nixon was concerned, they toasted each other and they wished each other well. They had a beautiful show that night. They had Carol Channing. They put on a very abbreviated "Hello Dolly," and they had this colored coronet player, "Sachmo," Louis Armstrong. They put on a beautiful show. You leave the dining room in the White House and go into that Blue Room, I guess they call it. They put in little wooden chairs, arranged; they had a little stage and put on the performance. Then after the performance, they danced. They had the Marine Band, and a Navy Band; they had four bands, one on each corner of the room. When one quits playing the other picks it up so the music never stops.

The Chief Justice and Mrs. Warren, and Virginia and John Daly went upstairs, either before or after, but I didn't.

Fry: What do you mean "upstairs"?

Lynn: A few very selected guests are invited up to the President's living quarters, in their living room, aside and apart. They have a winding staircase that goes up. They went up there. The Chief told me, "You'll have to excuse us for a few minutes, we're going to go upstairs to see the President," or something. So they went up there. That's standard procedure.

Fry: And a part of protocol, I guess.

Lynn: They invited a few people up, I don't know, for drinks or something. I've never been invited upstairs, and no reason to. Oh, I was too. I was invited up one time I think when Lyndon Johnson was President. I didn't go, I don't know why. I've forgotten the details now for

Lynn: some reason or another. I was with somebody else. I think Dorothy Warren, the daughter, was there. Dorothy wasn't married at that time. I think we were together and she didn't want to go up, or something, and I didn't particularly care about it. It's pretty formal when you get up there, particularly for strangers. It's kind of a family deal. So I didn't go up.

I invited President Eisenhower to come out duck hunting. He had a press secretary at that time by the name of Jim Hagerty. Jim Hagerty was from Seattle and I invited the President to come out and he said he'd come out. He loved to hunt ducks. So, he didn't show up. The next time I went back and went out to the White House, I took him a picture, one of those pictures of the ducks on the ranch. I took it out and Jim Hagerty met me and he said, "Oh boy, wait a minute. He's in conference in the Oval Room, but he's got to see this picture." He went in and he said, "Come on in." So I sneaked in, and there was a couple of other guys there, but he had moved them over and the President took a look, and Eisenhower said, "This's got to be a phony."

Fry: Is this that picture with the cloud of ducks flying over?

Lynn: Yes. He said, "This can't be for real," or something to that effect.

I said, "Well, there's only one way you can find out, and that's to come out and see it for yourself." I've got a letter from him, and I've got it hanging on the wall at the ranch now, when he says he'd come out. Then he wrote me a letter and said he couldn't make it, and he said he was so sorry, but he enjoyed the picture very much, and he hoped some day. But he never did make it.

Transcribers: Gretchen Wolfe, Marilyn Fernandez
Final Typist: Keiko Sugimoto

From Esquire, April 1975

Alden Whitman's Golden Oldies

by Alden Whitman

Only the obit writer knows for sure

Over the last ten years—a decade I spent enjoyably as the senior obituary writer for The New York *Times*—I have had the opportunity to see close up how a number of well-known people have adapted to their own aging. Those who bore the mantle of old age like a covering of sweetheart rosebuds were men and women who, despite their disparate personalities and occupations, had clear notions of who they were, what they were, why they were and where they were. They had, in short, the inner strength that permitted them to come to terms with themselves, a task not easy and for which there are few surefire prescriptions, because, among other things, our American society likes to bedeck the aged with honorifics while doing little to help them live in creative dignity. Social-security payments are a mockery, nursing homes a disgrace; social services for the aged are mostly a swindle.

Most of those I've known *sub specie aeternitatis* (and still do, for that matter) were the lucky few in our society who had enough money to avoid either reliance on a niggardly government or recourse to the cruelties of a nursing home. They do not exemplify the economic problems that the majority of aging Americans must face. Nonetheless I think that the successful aged—the Lindberghs, the Warrens, the Trumans—were successful because they all had a special interior psychologic situation that had to be confronted and solved somehow when they realized that their lives had reached the point from which it would be downhill all the way.

Lindbergh coped by becoming involved in conservation and ecology, a step that allowed him to feel socially useful, intellectually challenged and physically active. Truman adapted to old age by teaching young people at the Truman Library about American political history. The jaunty spring had long since gone out of his step when I first met him in 1966, when he was eighty-two, but his spirit was as youthful and as feisty as it had been twenty years before—or forty, for that matter.

Earl Warren, whom I got to know just about a year before he died at eighty-three in the Summer of 1974, spent his old age as Chief Justice of the United States, having been appointed in 1953 when he was sixty-two and having served until 1969. His was a remarkably creative old age, for he reshaped his philosophical outlook from the parochial to the urbane at a time when most of his contemporaries were fortifying their lifelong prejudices. At eighty-two, Warren was still going strong.

When I talked with him, he could look at himself with extraordinary candor and admit that he had acted wrongfully and in panic in uprooting Japanese-Americans in California at the outbreak of World War II; concede that he used to

APPENDIX A, continued

give the Constitution short shrift as a crime-busting district attorney; and admit that he was a hick to have run with Thomas E. Dewey in 1948. Calm, deliberate and insistent that his Chief-Justiceship had brought "fairness" to the criminal-justice system and to the interpretation of the Bill of Rights, Warren was content and happy in retirement. He lectured, he read, he counseled young lawyers, he showed up at most Washington Redskins home games. He was rarely idle, and never, never stuffy.

Warren also coped by having his passions. He detested Richard M. Nixon with a most unjudicial choler. "Tricky," he told me, "is perhaps the most despicable President this nation has ever had. He was a cheat, a liar and a crook, and he brought my country, which I love, into disrepute. Even worse than abusing his office, he abused the American people."

Warren, a mild man whose expletives were ordinarily not worth deleting, flushed when he talked about his successor Warren Burger. "A horse's ass," he remarked of the current Chief Justice. I asked Warren if he thought that the Burger Court, with its array of Nixon-appointed judicial midgets, could erase the accomplishments of the Warren Court. "They'll try, that I'm certain," he replied, "but in the long run the American people won't stand for a Court that would take them back to the days when it was possible to ask, 'What's the Constitution between friends?' " Old Earl went out with admirable élan, certain of his friends and his stature and just as certain of his enemies.

Warren was luckier than most Americans, for he managed to slide over the very sharp and often painful break from middle age, which most people above the poverty level regard as just an extension of youth, to old age. There is an ever-receding horizon in this country—so today's mistakes, quickly and easily forgotten, are submerged in tomorrow's errorless fresh ventures. And so it is until one comes face to face with his sixtieth birthday, or perhaps his sixty-fifth.

For an American man at sixty, in average good health, life expectancy is sixteen more years; for a woman, over twenty more years. Those men who attain sixty-five have a life expectancy of thirteen more years; women, seventeen more. At this point, woman or man, one undergoes Erik H. Erikson's eighth crisis in the life cycle—the crisis of ego integrity, to use the celebrated philosopher/analyst's phrase. Its fundamental clash is between despair—"the feeling that time is short, too short for the attempt to start another life and to try out alternate roads to integrity"—and "the acceptance of one's one and only life cycle [as] something that had to be and that, by necessity, permitted of no substitutions."

Charles Lindbergh's manner of surmounting his crisis was, I think, exemplary. Starting in 1969, when he was sixty-seven, I traveled with him off and on for three years and we remained good friends to his death last fall.

All his adult life Lindbergh had been a bird of passage, perching, seldom nesting. He saw no reason, as he passed into old age, to change these habits. But he did redirect his formidable energies into new pathways that combined his nomadic compulsion to travel and his love of unspoiled nature. It was a deliberate choice. "I could never be happy sitting in one place for very long," he once told me. "I have had a full life—more than enough fame and celebrity for fifteen lives; and now I'd like to do something to help save the environment, to help direct attention to the virtues—and the necessities—of civilized man's keeping himself in touch with his natural roots."

There were dark sides to Lindbergh's moon, chiefly his feeling that he had been right in wanting to keep the United States out of World War II. But putting aside his noxious political thinking, with which he never came to terms, he spent a well and happily integrated old age. He was an active conservationist up to a few months before his death, and he passed along with estimable éclat.

Not everyone has both the psychic strength and the physical resources required to age well. Conrad Aiken, the poet, seemed not to have them when I talked to him one bright summer day on Cape Cod Irked by public neglect of his poetic voice, he felt shunted aside into producing acerbic doggerel about his own demise. What did he do for intellectual stimulus? "I read the funny papers," he said.

Nor was Edmund Wilson, the critic, any *(Continued on page 164)*

ALDEN WHITMAN'S GOLDEN OLDIES

(Continued from page 83) more composed with himself. A grumpy curmudgeon, solipsistic, he worked in upstate New York and on Cape Cod, furbishing his journal and diaries for future publication, anxious, it appears, lest he be forgotten. But he was a most dyspeptic man, and it was difficult to see how he could be at peace with himself and his world.

John Steinbeck, too, had a less than creative old age. Once the prophet of man's indomitable will to survive in *The Grapes of Wrath*, the Nobel Prize author spent his last years in a gloomy shadow. Unable to write as he had, he hid himself in his home in Sag Harbor, L.I., and turned out some twentieth-rate bits of philosophizing. He was a hawk on Vietnam, and when he died in 1968 at the age of sixty-six, he was still talking, only talking, about the "big" novel he was going to write. He was a sadly disjointed man.

Marianne Moore, by contrast, was a lively, perky woman, who, despite her physical frailties, retained her youthful, creative outlook in old age. I remember talking to her several years ago at a Gracie Mansion reception for a Soviet poet. There she was, wisps of white hair poking out from under her tricorn hat, a slip of woman enfolded in a black cape, yet curious, eager, up-to-the-minute. Her poetic imagination had long since dried up (and she was aware of it), but she had not lost her profound interest in poetry, in the lore of her Brooklyn Dodgers and the exploits of younger writers.

Much like Marianne Moore, Norman Thomas achieved an uncommonly strong ego identity by pursuing with unquenchable passion the goals he deemed correct for Americans. In 1964, when he was eighty and bent and hobbled by arthritis, hard-of-hearing and so blind he could not read without a magnifying glass, several thousand friends gave him a party.

When it was over, a stripling reporter asked the gaunt, white-haired Thomas, "What will you do now, sir?" The reply was unhesitating, "The same thing I've always done."

Bennett Cerf, the joke-cracking Random House publisher, was another who spent a benign and fruitful old age, cut short at seventy-three by a fatal illness in 1971. Cerf, who had sold his business to R.C.A., continued nevertheless to be an active publisher. There was, as he freely acknowledged, much of the ham in Cerf—and much, too, of the committed bookman. "Oh, I know I'm a cornball," he confided over an opulent luncheon, the kind he liked best, "but if I were serious all the time, think what a damned bore I'd be." He was proud of having published James Joyce's *Ulysses* and winning an important First Amendment case into the bargain. He was proud, although not equally, of his years as a radio and television personality on *What's My Line?*. "Marvelous money," he said, "and so little work." He seemed no more sere in 1971 than when I first met him almost ten years earlier.

Sol Hurok, the legendary impresario, lived to be eighty-five, and each of his forthcoming productions was, to him, as freshly exciting as the one gone by. Hurok, whose Russian accent grew thicker with the years, transited through old age utterly certain that heaven would be just one more *S. Hurok Presents*. "I'm losing my shirt on these bollys [ballets] and foreign artists," he told me with a wave of his gold-headed stick, "but it's in my blood to bring American audiences only the best, only the Sol Hurok they've known for years."

All those I have known who achieved a graceful old age possessed strong egos to begin with—and determination: Harry Truman to be a "give-'em-hell" President in a world crisis; Charles Lindbergh to persist in being a gooney bird at the outset of World War II; Earl Warren to remold his legal thinking; Marianne Moore to rest content on her laurels; Bennett Cerf to see himself in humorous perspective; Sol Hurok never to lose his edge for the next time; Norman Thomas to storm the battlements alone if need be.

This is not to say that they entered and enjoyed old age without disappointments, things left undone or things that could have been done better. All of us on the threshold of venerability harbor disappointments and envies—that we're not young anymore; that youth could have been much better if lived with the wisdom of old age; that we made mistakes in love or direction; that we hurt some friends needlessly.

But my experience as an observer tells me that those who yield to feelings of despair, who nurse their disappointments, live an old age full of bitter lemons. It is no less fatal to sit in the sun and rock. Lindbergh, Truman, Warren—all worked at something to the limits of their physical capacities. No single day for them was without adventure, and they went out to the tune of a marching band, not to the tolling of bells. ##

WALLACE R. LYNN COMPANY

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March 27, 1975

Mr. William Buckley
Washington Star Syndicate
444 Madison Street
New York, New York 14305

Dear Mr. Buckley:

As a close personal and intimate friend of Earl Warren over a period of some forty years, I am very much disturbed regarding your article published in the S. F. Examiner on Tuesday, March 25th 1975.

Hunting and fishing with him for many years and literally living with him, I have never heard any comment of this kind regarding President Nixon or Chief Justice Warren Burger.

Certainly it was true that politically they didn't think alike, but Earl Warren did not use this kind of language and I would like to ask you if you actually heard Warren use this language yourself or if you are taking the word of some other irresponsible reporter who claims to have heard it?

I wonder if you would be kind enough to give me the actual names or publish the actual names of the people who claim to have heard him use this kind of language.

Your prompt response will be greatly appreciated.

Yours very truly,

Wallace R. Lynn

WRL:eg

LETTERS TO THE EDITOR

Patrick Henry for Today

The anniversary of Patrick Henry's classic declaration compels me to respond to those who would have us give up Combodia to communism in the name of peace.

Recall the context of Henry's punch line: "... Gentlemen may cry peace, peace, there is no peace. The war is actually begun. The next gale that sweeps from the north will bring to our ears the clash of resounding arms. Our brethren are already in the field. Why stand we here idle? What is it that gentlemen wish? What would they have? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take, but as for me—give me liberty, or give me death!"

Sweet prospects of peace should not delude those who advocate Cambodian surrender. It is a Communist peace and the rights of man and his liberty will no more be respected in Phnom Penh than in Moscow, Peking or Hanoi.

Irwin P. Graham.

Alexandria.

Drawing Conclusions

I suggest Secretary Kisinger failed in the Mideast because Israel has drawn the appropriate conclusions from our on-going betrayal of Cambodia and South Vietnam.

E. T. Herndon Jr.

Washington.

Remarks Out of Character

Having been a law clerk for both Chief Justice Warren and Chief Justice Burger (when the latter was a judge of the U.S. Court of Appeals), I feel I must comment on the reprint in your March 20 "Personalities" column of excerpts from an article in the current Esquire.

In all the years from 1961 that I knew Chief Justice Warren, I never heard him utter a comment such as the one printed in The Post. He did not agree with some aspects of the present incumbent's administration of the office of Chief Justice, which, rightly or wrongly, Warren thought take excessive time from the important in-Court duties of a Chief. But law clerks working in adequately lighted offices, Justices now able to see one another with a reconstructed Bench, and ABA members hearing an annual "State of the Judiciary" speech might all be thankful for some of the less and more important innovations of the new Chief.

And, from the recorded opinions of both men, there is no doubt that had they sat together, they would frequently have been on opposite sides of judgment in criminal, antitrust and many other types of cases. Nevertheless, I do not think calling Burger "a horse's ass" would be the type of thing Warren would have said about anyone, least of all some one who had to struggle with the responsibilities he knew too well went with the title of Chief Justice. And while Warren would not hesitate to express disagreement with specific actions or opinions or even a general point of view of another Justice, I doubt he would ever summarize his disagreement with a pejorative phase that says nothing about the true merits of the men. He would have regarded it as detracting from the institution of the Court that he revered very deeply. I regard the sort of stuff included in the article as the junk of journalists, amusing but wholly irresponsible.

Peter D. Ehrenhaft.

Washington.

Taxpayer Rights

After watching the ABC (Channel 7) "special" last night on the Internal Revenue Service, I have modest legislative suggestions:

All taxpayers should have the right to sue IRS in civil suits (including the potential award of punitive damages).

All IRS employees found guilty of malfeasance, prejudice, inequality of enforcement, etc., should be vulnerable to criminal charges as well as civil damages and potential loss of jobs, civil service or not.

All costs of such suits successfully prosecuted should be borne by the IRS.

John K. Harris.

Washington.

"Privacy and the Press"

Anent Charles Seib's piece, "Privacy and the Press," in The Post for March 8, in which Seib describes our professional dilemma re: how much to write about the private lives of people we write about, I suggest that the press consider the motto of a former boss of mine—Wallace Werble, publisher of FDC Reports (in the National Press Building). In Wally's office hangs a sign: "Candor Without Cruelty."

I think Werble's sign says it all.

Alfred D. Rosenblatt,
Managing Editor,
National Features Syndicate.

Washington.

'Gouging the Public'

The advent of lower electronic calculator prices (one of the few items that have decreased in price) now enables the average American to compute more easily how much the electric monopolies are gouging the public.

In July 1973, Vepco's fuel adjustment was .00047. In March 1975, the rate is .0125, or 26.595744 times as great. This kind of increase boggles the mind. Admittedly, oil and coal prices have doubled and tripled, but charging 26.6 times as much is outrageous. How does the Virginia State Corporation Commission allow such fraud to exist?

Gasoline sold for approximately $.35 per gallon in July, 1973. If Vepco were selling us gasoline today, they would be charging $9.31 per gallon.

Federal and state intervention is a must!

Sidney Weinberg.

Fairfax.

Prelude to Concerts

Recently while in Augusta, Georgia, I had the pleasure of hearing the Augusta Symphony Orchestra under the direction of Harry Jacobs. The performance was very good, but what impressed me most was the fact that the concert began with the National Anthem.

Having attended and enjoyed performances at the Kennedy Center for some time, I thought how fitting it would be if the National Anthem would precede concerts in the nation's capital—and for that matter, in all other cities. Sporting events have always been preceded by the National Anthem and I believe people feel better for it. Should it be different with the arts? In this time of domestic uncertainity and stress, I think we can use all the patriotism we can get and enjoy it in the bargain.

John B. Adams, Jr.

The Plains, Va.

A Plea

I drive the entire Capital Beltway five times a week, totaling over 300 tense and unpleasant miles.

Obeying the speed limits makes one liable to rear end collisions and assorted gestures from the thoughtless speeders.

I strongly appeal to the traffic divisions of Fairfax, Prince George's, and Montgomery Counties and the States of Virginia and Maryland to make a more concerted effort to enforce the existing speed laws on the beltway.

John B. Adams Jr.

Great Falls, Va.

Washington Post, n.d.

INDEX -- Wallace Lynn

agriculture, rice farms, 39-43
Airport Commission, San Francisco, 6-7, 37-38
Alfalfa Club, 70, 97
Alioto, Joseph, 5, 24, 37
American Medical Association, 8

Brown, Edmund G., Jr. (Jerry), 32-33
Brown, Edmund G., Sr. (Pat), 32-33, 45-47, 59-60
Brownell, Herbert, 18-20
Bruck, Dr. , 11
Burger, Warren, 52-56

California Medical Association, 8, 10
California Physicians Service, 12
California Rice Growers Association, 5, 24
California Water Project, 41-42
Carty, Ed, 18, 22-24, 31-32
Cavanaugh, Bartley, 77-80
Central Valley Project, 42-43
Cline, John, 8-14, 29
Coblentz, Bill, 6-7, 37
Coblentz, Edmond, 7
communism issue, 10-11
corruption, San Francisco airport, 7
Crum, Gay, 4
Cuenin, Jules, 32

Daly, John, 27-28, 33, 50, 59, 79, 102
Democrats, support for Warren, 23
Depression, in California, 4
doctors. See physicians
Douglas, Donald, 23

Eisenhower, Dwight, 103
 1952 national convention, 16
 and warren, 98-100
election fund raising and financing, 17, 30-31
elections
 1948 presidential, 60-61
 1952 presidential, 13-16, 30, 61

Family Club, 7, 11
Ford, Gerald R., 56-57
Fortas, Mrs. Abe, 101-102

Gallagher, Dr. Harry, 73-75
Griffith, Jim, 51

Hagerty, James, 103
health insurance issue, 8-14, 25, 29
Hindon, Dr. , 11
Hinman, Dr. Richard, 29
Hughes, Howard, 28

insurance industry, 4
interest groups
 doctors, 8-14, 29

Johnson, Lyndon B., 99-100
Jones, Walter, 33

Kemp, Joe, 32
Kennedy, John F., 95-97
Kennedy assassination report, 56-57, 95-96

Los Angeles Times, 17
Lynn, Elsie, 55
Lynn, Wallace,
 background, 1-3, 84
 business career, 1-4, 24-25
 and Eisenhower, 103
 family, 1, 36-37
 and health insurance issue, 8-14, 29-30
 ranch, 39-47
 on San Francisco Public Utilities and Airport Commission, 5-7, 37-38
 friendship and sports with Warren, 19, passim

Mayhew, Robert, 28
Mazzola, Joe, 38
McDermott, Jack, 77-80

McDonald, Bill, 6, 37
McHugh, Mrs. , 53, 71
Mellon, Thomas, 15
Moore, Will, 78

Nevers, Ernie, 20-21
newspapers, political influence of, 17, 33-34
Nixon, Richard
 1952 national convention, 15-16
 and Warren, 15-18, 52, 55-56, 99-102

Pfluger, Dr. Otto, 29
physicians, 8-14, 29
poliomyelitis, 30
Public Utilities Commission, San Francisco, 5-7

Republican party
 conservation faction, 10, 17
 1952 national convention, 14-16
 and Warren, 17
Rotary Clubs, 10, 30
Rutledge, Ralph, 70

Sacramento Bee, 17, 33
San Francisco
 Airport Commission, 6-7, 37-38
 Public Utilities Commission, 5-7
social welfare legislation, see health insurance issue
Stevens, W.B., 23
Stevenson, Adlai, 72-73
Stewart, Potter, 49
Storke, Thomas, 17, 51
Supreme Court, see Earl Warren
Sutro, Jack, 6-7, 37
Swanson, Mrs., 70
Swig, Ben, 28, 36, 55, 72

Truman, Harry S., 99-100
Truman, Harry S., Institute for the Study of Law and Peace, 69

United Nations Judicial Commission, 69

Warren, Earl,
 appointment to Supreme Court, 18-21
 and Warren Burger, 52-56
 and Pat Brown, 32, 45-47, 59-60
 as Chief Justice, 66, 94
 and Democrats, 23, 100
 and Eisenhower, 98-100
 elections, 10
 1948, 60-61
 1952, 13-16, 30, 61
 and Gerald Ford, 56-57
 health insurance issue, 8-14, 29
 and Lyndon B. Johnson, 88-100
 and John Kennedy, 95
 Kennedy assassination report, 56, 95
 leisure activities, sports, and friends, 19, passim
 and Richard Nixon, 15-18, 52, 55-56, 99-102
 miscellaneous anecdotes, 38, 42-43, 47-49, 51-54, 63-67, 70-71, 88
 philosophy of and personality, 12, 35, 50-54, 62-63, 69-71, 85, 87-89
 and Republican party, 17
 retirement, 58, 68-69
 and Truman, 99-100
Warren, Nina, 36, 49, 51-54, 72, 92-93
Warren family, 27-28, 32-33, 36, 52, 59, 90, 102
water resources issue, 49-43
Werdell's opposition to Warren, 14
Wilkins, Phil, 77-80
Wuslich, Joe, 63-66

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